

DEC 02 2011

John A. Clark, Clerk  
By [Signature] Deputy  
GLORietta ROBINSON

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DAVID COPPEDGE, an Individual,  Plaintiff(s)  vs.  JET PROPULSION LABORATORY, form unknown; CALIFORNIA INSTITUTE OF TECHNOLOGY, form unknown; GREGORY CHIN, an Individual; CLARK A. BURGESS, an Individual; KEVIN KLENK, an Individual; and DOES 1 through 25, inclusive,  Defendant(s).	CASE NUMBER BC 435600
	JOINT FINAL STATUS CONFERENCE STATEMENT DEPARTMENT 54
	Final Status Conference Date: December 2, 2011 Time: 9:00 a.m. Place: Dept. 59

(Form Rev. 9/10)

**THIS JOINT FINAL STATUS CONFERENCE STATEMENT MUST BE COMPLETED AND COMPLIED WITH BY ALL PARTIES AND FILED AND SERVED TWO COURT DAYS PRIOR TO THE HEARING DATE.**  
(Courtesy copies to be lodged in Dept. 54)  
**FAILURE TO COMPLY MAY RESULT IN THE IMPOSITION OF SANCTIONS, INCLUDING DISMISSAL OR THE STRIKING OF PLEADINGS.**  
(If the space provided for any response is insufficient, attach additional pages as needed)

PLEASE SEE ATTACHED JOINT STIPULATION.

THE PARTIES TO THE ABOVE ENTITLED ACTION SUBMIT THE FOLLOWING JOINT STATEMENT FOR CONSIDERATION BY THE COURT AT THE FINAL STATUS CONFERENCE SET	TIME ESTIMATES FOR TRIAL: <input checked="" type="checkbox"/> JURY <input type="checkbox"/> NON-JURY PLAINTIFF'S CASE <u>10 days</u> DEFENDANT'S CASE <u>7 days</u> TOTAL TIME FOR TRIAL <u>19 days</u>
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Pursuant to Los Angeles Superior Court Local Rule 7.9(h), the parties represent to the court that at least 5 days prior to this conference they have exchanged and filed:

12/28/11

ORIGINAL

- a. List of premarked exhibits to be used at trial (exhibits anticipated in good faith to be used solely for impeachment may not be listed). The exhibits shall be marked sequentially by the use of arabic numerals. Each party shall be allocated a block of numbers. Whenever possible, documentary exhibits consisting of more than one page shall be internally paginated in sequential numerical order. See LR 8.60 8.63.
- b. Jury instruction requests. A party requesting any printed CACI instruction need only file and serve with the court clerk a list specifying the same. However, if a party requests changes, the printed CACI form shall be presented reflecting the changes.
- c. Trial witness lists designating the type of witness, such as, percipient, treating physician, or for example expert Re: "economic damages".
- d. Proposed short statement of the case, prepared jointly by all parties, to be read to the jury panel in explaining the case. If parties cannot agree to a statement, submit a separate statement.
- e. Trial preparation motions and dispositive motions, other than summary judgment motions, including motion in limine or bifurcation motion, with timely statutory notice for moving and responding papers, so as to be heard on the day of this final status conference. Motion in limine are designed by party and sequentially, for example, "Plaintiff's motion in limine No. 1".

Failure to exchange and file these items may result in not being able to call witnesses, present exhibits at trial, or have a jury trial. If actual trial does not commence within 30 days of the set trial date, any party has the right to request a modification of any final status conference order or any previously submitted required exchange list.

- f. Each party has made a good faith settlement demand or offer but the parties have been unable to settle:

DATED: Dec 2, 2011

C. W. Fox - see attached stip  
 Attorney for Defendant  
 California Institute of Technology et al

David Coppedge - See attached stip  
 - Attorney for Plaintiff  
 David Coppedge

\_\_\_\_\_  
 Attorney for

\_\_\_\_\_  
 Attorney for

11/25/11



1 PAUL HASTINGS LLP  
JAMES A. ZAPP (SB# 94584)  
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CAMERON W. FOX (SB# 218116)  
3 cameronfox@paulhastings.com  
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515 South Flower Street  
5 Twenty-Fifth Floor  
Los Angeles, CA 90071-2228  
6 Telephone: (213) 683-6000  
Facsimile: (213) 627-0705

7 Attorneys for Defendant  
8 CALIFORNIA INSTITUTE OF TECHNOLOGY

9 THE BECKER LAW FIRM  
WILLIAM J. BECKER, JR. (SB# 134545)  
10 11500 Olympic Blvd., Suite 400  
Los Angeles, CA 90064  
11 Telephone: (310) 636-1018  
Facsimile: (310) 765-6328

12 Attorneys for Plaintiff  
13 DAVID COPPEDGE

14 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
15 COUNTY OF LOS ANGELES

17 DAVID COPPEDGE, an Individual,  
18 Plaintiff,

19 vs.

20 JET PROPULSION LABORATORY,  
form unknown; CALIFORNIA  
21 INSTITUTE OF TECHNOLOGY, form  
unknown; GREGORY CHIN, an  
22 Individual; CLARK A. BURGESS, an  
Individual; KEVIN KLENK, an Individual;  
23 and DOES 1 through 25, inclusive,

24 Defendants.

CASE NO. BC 435600

**JOINT STIPULATION REGARDING  
PRETRIAL DEADLINES;  
[PROPOSED] ORDER THEREON**

Trial Date: December 14, 2011  
Place: Department 54  
Judge: Hon. Ernest M. Hiroshige

1 JOINT STIPULATION

2  
3 WHEREAS, on October 26, 2011, the Court invited the parties in this matter to  
4 agree to a schedule for the filing of pretrial motions in *limine* in light of (1) the Court's issuance  
5 of a tentative ruling to grant Defendant California Institute of Technology's ("Caltech") Motion  
6 for Summary Judgment or, in the Alternative, Motion for Summary Adjudication (the "Motion"),  
7 (2) the Court's decision to take the Motion under submission after the hearing; and (3) the fact  
8 that counsel for Plaintiff David Coppedge ("Coppedge") – a sole practitioner without staff or  
9 associates – would be out of the county for two weeks beginning November 4, 2011:

10 THE COURT: Well, let me indicate that on the motion for  
11 summary judgment I would take that under submission for further  
12 consideration of the merits and then rule by fax notice. I'm hoping  
13 we can do that within the next week. [...] I would try to get it out  
14 before you leave [...] So if I happen to deny and we do have a trial  
then I would set up a briefing schedule, but I don't know how you're  
going to meet it if you're gone.  
[...]

15 MR. BECKER: [...] I don't see how this is going to work out  
16 because motions in limine ... I don't know how I'm going to  
oppose them while I'm away. [...] [W]e've got a briefing issue,  
your Honor, to be ready for a December 2 final status conference.

17 THE COURT: I think we can maybe have some sort of  
18 contingency there depending on this ruling. It would affect  
19 everything. So I think counsel can meet and confer. If you  
20 stipulate that you agree to a later filing briefing schedule, on the  
motions in limine, then that would be acceptable to the court. You  
know, I would have some flexibility under the situation that you  
have indicated.

21 Transcript of October 26, 2011 Hearing on Caltech's Motion for Summary Judgment, Or In the  
22 Alternative, Motion for Summary Adjudication at 32:27-34:5;

23  
24 WHEREAS, the Court issued a final ruling on the Motion on November 18, 2011  
25 (the Friday before Thanksgiving) granting the Motion in part, dismissing Coppedge's claims for  
26 violation of Labor Code sections 1101 and 98.6 and for harassment, but finding factual disputes  
27 regarding his remaining claims for religious discrimination, retaliation and wrongful demotion  
28 and termination;

1           WHEREAS, the parties worked diligently around *and during* the Thanksgiving  
2 holiday to (1) meet and confer over their motions in *limine*, and (2) prepare, file and exchange  
3 those motions;

4  
5           WHEREAS, the parties informally agreed to the following briefing schedule for  
6 motions in *limine*: Motions in *limine* to be filed on or before November 30, 2011, Oppositions to  
7 motions in *limine* to be filed on or before December 7, 2011, and Replies to motions in *limine* to  
8 be filed on or before December 13, 2011;

9  
10           WHEREAS, the parties were unable to meet the timing requirements of LASC  
11 Local Rule 7.9(h) due to the Court's reversal of much of its tentative ruling on November 18,  
12 2011, and therefore the parties also agreed to exchange Jury Instruction Requests and Short  
13 Statements of the Case on December 1, 2011, and to file those documents, as well as the parties'  
14 Joint Exhibit List and Joint Witness List on December 2, 2011;

15  
16           WHEREAS, the parties' have complied fully with the agreed-upon schedules  
17 stated above;

18  
19           IT IS HEREBY STIPULATED by the parties, through their respective counsel, as  
20 follows:

21           1. The briefing schedule for motions in *limine* in the above-captioned case is:  
22 Motions in *limine* to be filed on or before November 30, 2011, Oppositions to motions in *limine*  
23 to be filed on or before December 7, 2011, and Replies to motions in *limine* to be filed on or  
24 before December 13, 2011;

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26           2. The deadline for filing Jury Instruction Requests, Short Statements of the Case,  
27 and the parties' Joint Exhibit List and Joint Witness List is December 2, 2011.

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DATED: December 1 2011

PAUL HASTINGS LLP  
JAMES A. ZAPP  
CAMERON W. FOX  
MELINDA A. GORDON

By: Cwfox  
CAMERON W. FOX

Attorneys for Defendant  
CALIFORNIA INSTITUTE OF TECHNOLOGY

DATED: \_\_\_\_\_, 2011

THE BECKER LAW FIRM  
WILLIAM J. BECKER

By: William J Becker Jr, Esq  
WILLIAM J. BECKER

Digitally signed by William J Becker Jr, Esq  
DN: cn=William J Becker Jr, Esq, o=THE BECKER LAW  
FIRM, ou, email=bbeckerlaw@gmail.com, c=US  
Date: 2011.12.01 11:57:52 -0800

Attorney for Plaintiff  
DAVID COPPEDGE

**PROPOSED ORDER ON JOINT STIPULATION**

Based on the parties' stipulation and good cause appearing therefore,

**IT IS HEREBY ORDERED** that:

1. The briefing schedule for motions in *limine* in the above-captioned case is:  
Motions in *limine* to be filed on or before November 30, 2011, Oppositions to motions in *limine* to be filed on or before December 7, 2011, and Replies to motions in *limine* to be filed on or before December 13, 2011;
2. The deadline for filing Jury Instruction Requests, Short Statements of the Case, and the parties' Joint Exhibit List and Joint Witness List is December 2, 2011.

Dated: \_\_\_\_\_  
Hon. Ernest M. Hiroshige  
Judge of the Superior Court

**PROOF OF SERVICE**

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STATE OF CALIFORNIA )  
CITY OF LOS ANGELES AND COUNTY OF LOS ANGELES ) ss:  
)

I am employed in the City of Los Angeles and County of Los Angeles, State of California. I am over the age of 18, and not a party to the within action. My business address is 515 South Flower Street, Twenty-Fifth Floor, Los Angeles, CA 90071.

On December 2, 2011, I served the foregoing document(s) described as:

**JOINT STIPULATION REGARDING PRETRIAL DEADLINES; [PROPOSED] ORDER THEREON**

on the interested parties by placing a true and correct copy thereof in a sealed envelope(s) to the following:

William J. Becker, Jr., Esq. Attorney for Plaintiff  
THE BECKER LAW FIRM DAVID COPPEDGE  
c/o Los Angeles Superior Court  
111 North Hill Street, Dept. 54  
Los Angeles, CA 90012

**VIA PERSONAL DELIVERY:**

I personally delivered such sealed envelope(s) by hand to the addressee pursuant to CCP § 1011.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and was executed on December 2, 2011, at Los Angeles, California.

Cameron Fox  
Print Name

CW Fox  
Signature

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**PROOF OF SERVICE**

STATE OF CALIFORNIA )  
CITY OF LOS ANGELES AND COUNTY OF LOS ANGELES ) ss:  
ANGELES )

I am employed in the City of Los Angeles and County of Los Angeles, State of California. I am over the age of 18, and not a party to the within action. My business address is 515 South Flower Street, Twenty-Fifth Floor, Los Angeles, CA 90071.

On December 2, 2011, I served the foregoing document(s) described as:

**JOINT FINAL STATUS CONFERENCE STATEMENT DEPARTMENT 54**

on the interested parties by placing a true and correct copy thereof in a sealed envelope(s) to the following:

William J. Becker, Jr., Esq. Attorney for Plaintiff  
THE BECKER LAW FIRM DAVID COPPEDGE  
c/o Los Angeles Superior Court  
111 North Hill Street, Dept. 54  
Los Angeles, CA 90012

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Cameron Fox  
Print Name

CW Fox  
Signature