

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 99-02829-RGK (CWx) Date May 9, 2012

Title JOHN GARAMENDI v. ALTUS FINANCE S.A. et al.

Present: The Honorable :R. GARY KLAUSNER, UNITED STATES DISTRICT JUDGE

Sharon L. Williams

Not Reported

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: (IN CHAMBERS) Order Re: Trial Setting Conference

Upon review of the record, it appears that the only matter left to resolve in this case is retrial of the specific damages issues remanded on appeal from the Ninth Circuit. Specifically, the Ninth Circuit has given the Court instruction to retry the following issues as to Defendant Artemis only: (1) did Plaintiff meet his burden of proving that, but for Artemis's conspiracy to conceal and misrepresent, he would have entered into a transaction with NOLHGA for the benefit of the ELIC Estate ("NOLHGA Premise"); (2) if Plaintiff met his burden as to the NOLHGA Premise, what damages (including punitive damages), if any, did Plaintiff suffer; and (3) should the Court reinstate the restitution award against Artemis that was vacated by the Ninth Circuit.

In furtherance of the Ninth Circuit's instructions on remand, the Court orders the following:

(1) The parties shall file a Joint Statement no later than **May 22, 2012** that includes:

- a. Brief summary of the case
- b. List of all remaining parties in the action
- c. Issues that have been resolved
- d. Remaining issues that need to be decided by the Court
- e. Impediments to resolution of the remaining issues

The Joint Statement shall be limited to **10 pages**.

(2) The parties shall file a Joint Notice of Evidentiary Ruling no later than **May 22, 2012**. The Notice shall be comprised of a chart listing the evidentiary motions made; for each motion listed, a summary, no longer than two sentences, describing the relief sought; and the Court's ruling on each of the motions, including the corresponding docket entry numbers.

(3) The following orders are hereby vacated: (1) all previously issued procedural orders regarding how the post-remand trial will be handled; and (2) any evidentiary rulings that are based on the procedural orders that have now been vacated.

(4) All case management dates are closed except for pretrial conference and trial dates to be determined at the Trial Setting Conference.

(5) The parties shall appear for a Trial Setting Conference on **May 29, 2012**, at **8:30 a.m.**, in Courtroom 850.

IT IS SO ORDERED.

Initials of
Preparer

: _____
slw
