

Instructions for Issue Conference in Dept. 32.

All parties are required to attend the Issue Conference in person.

Exhibit Lists:

[1] One month prior to Issue Conference: parties must exchange Exhibit Lists, as described below.

[2] Three weeks prior to the Issue Conference date, the parties must meet and confer (or begin to meet and confer) regarding stipulations to the admissibility of each exhibit on their respective lists.

[3] When the Exhibit Lists are submitted to the Court with the Trial Brief (five court days in the advance of the Issue Conference), each exhibit must have an indication whether admissibility is stipulated, or if not, the objecting party's objections to admissibility. (E.g., foundation, hearsay, 352.)

Trial Briefs:

Five court days prior to the Issue Conference, each party must file and serve a TRIAL BRIEF with tabbed sections containing:

[1] STATEMENT OF CASE TO BE READ TO JURY:

Mini Openings (pre voir dire) must not exceed 2 minutes in presentation time and may **not** include any electronic presentation.

One month prior to Issue Conference: Mini Opening and Opening Statements (including any Powerpoint or electronic presentation proposed for Opening Statement) must be exchanged.

Three weeks prior to Issue Conference: counsel must meet and confer regarding objects to the Mini Opening and Opening Statements.

Your Mini Opening and Opening must be followed by a statement of whether the opposing side has any objections to it, and if so what those objections are.

[2] MOTIONS IN LIMINE AND THE OPPOSING PARTY'S ANSWERS TO YOUR MILs

Motions in Limine are to be served on opposing party [not filed] 10 court days in advance of issue conf; answers to MILs to be served 3 court days in advance of issue conference. You must include your own MILs and the opposition thereto in a tabbed section of your trial binder.

[3] **WITNESS LIST** (name, city of residence, brief, generic description of testimony, anticipated length of testimony on direct examination, whether witness is to appear live, remotely, by playing of video deposition, or reading of designated deposition testimony).

If the witness is to appear by video deposition or by reading of designated testimony: those portions of the video or the of the deposition transcript must be provided in writing to opposing counsel **one month in advance of Issue Conference**.

Parties must meet and confer regarding any objections or counter designations beginning **three weeks in advance of the Issue Conference**.

Your video designations / deposition designations must be submitted in writing as part of your Trial Brief. You must indicate whether there is any objection to each portion designated. You must include objections and counter designations to your designations.

[4] **ESTIMATE ON DAYS OF TRIAL NEEDED TO PRESENT YOUR PARTY'S CASE**. Assume court will in trial from 10:00 am to 4:30 pm each day, with at least one 15 minute break in the afternoon.

[5] **Whether or not you are providing a court reporter for the proceedings**.

[6] **EXHIBIT LIST**. Exhibit list to be submitted in both hard copy and electronically submitted to court as a Word Document.

Exhibits are to be listed in a Word Table with columns headed: NUMBER, DESCRIPTION OF DOC, NATURE OF ITEM (i.e., hard copy, electronic still shot, electronic audio, electronic video) and blank column labeled "IDENTIFIED" "ADMISSION STIPULATED" AND "ADMITTED"]

Each document must be specifically identified, e.g., by Bates pages, by page and line of Deposition designation, etc. Any exhibit lacking a specific description should be attached to the Exhibit List so that the opposing party can know exactly what it is. Exhibits themselves to be brought to court on day of trial, not to the Issue conference.

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[3] When the Exhibit Lists are submitted to the Court with the Trial Brief (five court days in the advance of the Issue Conference), each exhibit must have an indication whether admissibility is stipulated, or if not, the objecting party's objections to admissibility. (E.g., foundation, hearsay, 352.)

Each exhibit on your Exhibit List must have indication as to whether the Parties have stipulated to admissibility or briefly list the objections to admissibility made by the opposing party.

[7] STATEMENT ON WITNESS AVAILABILITY:

Please note that the court conducts trials from Mondays through Thursdays only, unless jury is in deliberation. All witnesses are to be available throughout all days of trial forecast. Counsel must arrange to have witnesses ready to testify immediately after the conclusion of the current witness on the stand, so as to fill the court's time all day from 10:00 a.m. to 4:30 p.m. That is, if you believe a witness will finish before 4:00 p.m. you must have a witness ready to begin testifying at 4:01 p.m. Failure to have the next witness ready or to be prepared to proceed with evidence will usually constitute resting.

Counsel must have a confirmed order of witnesses for the next fully court day.

Defense counsel is responsible for inquiring with Plaintiff's counsel as to estimating the end of Plaintiff's witness[es] testimony and have their witnesses ready to begin promptly thereafter.

Counsel must list any restrictions on a witness' anticipated availability and work with opposing counsel on stipulations for taking a witness out of order in order to accommodate these restrictions.

[8] STATEMENT ON NEED FOR FOREIGN LANGUAGE INTERPRETERS. List all parties and witnesses who will request or required assistance from a spoken language interpreter.

You must give the court notice if a **party** requires a spoken language interpreter and the language needed. Each party must provide a spoken language interpreter for its own **witnesses**. A spoken language interpreter must be found qualified by the court to serve as an interpreter. A family member cannot serve as a spoken language interpreter in Court.

[9] JURY INSTRUCTIONS (CACI)

Parties are to submit a numbered list of requested CACI instructions, a hard copy of the full text of printed instructions (excluding "Directions for Use" notes), and an electronic version of the printed instructions in Word.

[10] PROPOSED VERDICT FORM

Parties must submit a proposed verdict form both in hard copy and an electronic version in Word.