Final Pretrial Proceedings and Trial

1. **Trial Dates**

   All cases will be assigned a trial date in their initial scheduling order, subject to change based on the Court's other proceedings. Any change to a trial date will be reflected on the docket.

2. **Motions In Limine**

   There is no special form for motions in limine, but any such motion must be filed at least 10 days before the trial date, and will be ruled on before trial whenever possible. Hearings on motions in limine are rarely necessary.

3. **Exchange of Exhibits and Trial Briefs**

   Trial briefs are encouraged but not required, must be filed five days before the trial date, and shall not contain any new motions. Prior to the trial date, parties must exchange exhibits, and provide the Court with a joint bench book that lists, describes, and contains all exhibits. Counsel must confer with one another before trial in an attempt to reach agreement as to admissibility of each exhibit.

4. **Bench Trials**

   Before or during a bench trial, the parties may submit proposed findings of fact and conclusions of law.

5. **Redirect**

   Redirect examination may be permitted upon a showing of good cause.

6. **Submission of Jury Instructions**

   The parties must confer in an attempt to agree on all jury instructions. The parties must submit joint, proposed jury instructions prior to the final pre-trial conference. If the parties are unable to agree on all instructions, they shall submit, in a single filing, the agreed-upon instructions, instructions proposed by the plaintiff, instructions proposed by the defendants, and any responses to the disputed instructions.

7. **Hours of Trial**

   Trials will be conducted daily between 9:00AM and 2:00PM, with a mid-day break at or around 11:00AM. Attorneys must be seated at counsel table and ready to proceed by 8:30AM.

8. **Multiple Counsel**

   Multiple counsel representing one party may not each perform separate parts of a single advocacy function in Court. For instance, when a party is represented by multiple counsel, a single lawyer must handle the entire opening statement for that party. Each witness must also be examined by a single attorney for each party.

9. **Juries**

    a. **Jury Selection.**

       Jury selection will be by the "struck jury" method. Voir dire will be conducted by the Court. Counsel should submit proposed voir dire questions in writing at least three days

in advance and will be permitted to submit additional questions to be asked by the Court, as provided by Federal Rule of Civil Procedure 47(a). Jurors will be excused without disclosing which side excused them. Eight jurors will be seated, which will permit up to two to be dismissed as alternates during trial. If none are excused during trial, all eight will deliberate.

b. **During Trial.**

Jurors will be permitted to take notes during trial. Jurors who choose to take notes will be instructed that such notes are not themselves evidence, but are merely aids to the juror's memory of the evidence presented at trial. Jurors will not be permitted to question witnesses, either directly or through submission of questions to be asked by the Court.

c. **Jury Instructions.**

The Court will orally deliver the final instructions to the jury. Jurors will also be permitted to take written copies of the final instructions to the jury room during deliberations.

d. **Proper Use of Jury Time.**

Counsel should attempt to raise evidentiary problems before or after the trial day, or during the break, to avoid jury down time.