

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Boyd N. Boland

Civil Action No. 09-cv-00539-BNB-KLM

JASON GLENN MATHEWS,

Plaintiff,

v.

SALLIE J. CHARDUKIAN,

Defendant.

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**TRIAL PROCEDURES ORDER**

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Trial in this case is set for **four days to a jury** beginning **May 24, 2010, at 8:30 a.m.**, in Courtroom 401, 4th floor, Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado. Trial days run from 8:30 a.m. to 5:00 p.m. The parties have agreed that the case may be tried to a jury of not less than six jurors and that a jury of nine will be seated initially.

The following procedures supplement the Federal Rules of Civil Procedure and the local rules of this court:

**Voir Dire, Opening Statements, and Closing Arguments**

Each side will be allowed 30 minutes for voir dire, 30 minutes for an opening statement, and 30 minutes for closing argument.

## **Miscellaneous Deadlines**

1. On or before **April 8, 2010**, the parties shall exchange designations of deposition testimony which they propose to have read at trial. The parties shall confer thereafter to attempt to reach agreement on the testimony to be read. On or before **May 5, 2010**, the parties shall submit to my chambers designations of deposition testimony to be read at trial. Evidence to be presented by deposition must be designated with specificity, i.e., by page and line, and one copy of the deposition transcript shall be submitted jointly by the parties.

Objections to deposition testimony proposed by opposing counsel shall be filed by **May 12, 2010**. The objections must be designated with specificity, i.e., by page and line.

The parties are required to provide a person to read the deposition answers at trial.

2. On or before **April 8, 2010**, the parties shall exchange proposed jury instructions, verdict form, and voir dire questions, and shall thereafter confer in an attempt to reach agreement. On or before **May 5, 2010**, the parties shall submit to my chambers proposed jury instructions, verdict form, and voir dire questions. Stipulated jury instructions and verdict form shall be so designated. Any jury instructions or verdict form about which the parties cannot agree shall be submitted as disputed. Objections to any disputed jury instructions and verdict forms, with supporting authority, shall be submitted on or before **May 12, 2010**.

Proposed jury instructions, verdict form, and voir dire questions shall be submitted by electronic mail to [boland\\_chambers@cod.uscourts.gov](mailto:boland_chambers@cod.uscourts.gov). Jury instructions and the verdict form must be submitted in Word Perfect 12 (or a later version), although they may in the alternative

be submitted in Word. A citation of authority in support of each proposed jury instruction must be contained at the bottom of each instruction submitted.

3. On or before **May 5, 2010**, the parties shall submit a statement of the case, including a statement of the claims and defenses, that the parties stipulate should be given to the jury at the commencement of the trial.

4. On or before **May 17, 2010**, the parties shall notify my courtroom deputy of the need for any special accommodations required by any attorney, party, or witness; and of the need for technological equipment, including videoconferencing, equipment required for the presentation of evidence using CDRom, and any equipment required for other electronic presentation of evidence.

5. On or before **May 17, 2010**, the parties shall submit to my courtroom deputy three copies of their final witness lists with an estimate of the time required to complete direct examination. Witnesses shall be listed in the order they will be called. Each witness designated as a “will call” witness shall be that party’s representation, upon which the opposing party may rely, that the witness will be present and available for testimony at trial.

6. On or before **May 17, 2010**, the parties shall submit to my courtroom deputy the original exhibits, properly marked and filed in notebooks. All exhibits shall be marked with white labels, designated by numbers. The civil action number shall appear on each exhibit sticker. Exhibits with more than one page shall have each page separately numbered. Dividers with the exhibit number must be placed between each exhibit for ease of reference. The parties also shall submit two copies of the exhibit notebooks for use by the court.

### **On the First Day of Trial**

The parties shall submit to the courtroom deputy an original and three copies of any stipulations.

### **General Information**

1. My courtroom deputy is Geneva Mattei. She can be reached at 303-335-2061. Any questions concerning exhibits or courtroom equipment should be directed to her. The proceedings will be tape recorded. The parties are cautioned to speak directly into a microphone so that their statements can be recorded as a part of the record. Any request for transcripts should be directed to the courtroom deputy. Extraordinary requests, such as for daily copies of transcripts, should be made at least 30 days in advance of the trial date.

2. My judicial assistant is Estee Fraitag. She can be reached at 303-844-6408.

3. My staff attorney is Renee Christian. She can be reached at 303-844-6408.

4. At trial, all parties and witnesses shall be addressed as “Mr.,” “Mrs.,” “Ms.,” “Dr.,” etc. Informal references are not authorized except with my express permission.

Dated March 15, 2010.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge