

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

Civil Action No. 11-cv-01948-BNB

KATHRYN KIPLING,

Plaintiff,

v.

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, d/b/a Minnesota
Division of State Farm Mutual Automobile Insurance Company,

Defendant.

TRIAL PROCEDURES ORDER

IT IS ORDERED:

Trial in this case is set for five days to a jury on **November 26-30, 2012**, 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.

A final pretrial conference is set for **October 29, 2012, at 1:30 p.m.**, in Courtroom 401, 4th floor, Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado.

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

1. Miscellaneous Deadlines

- The parties shall exchange exhibits on or before **October 10, 2012**. Prior to the exchange of exhibits, the parties must confer in an attempt to agree on joint exhibits. The use of joint exhibits is encouraged because it avoids duplication and confusion. The objections contemplated by Fed. R. Civ. P. 26(a)(3) shall be filed with the clerk of the court and served by

hand delivery or facsimile no later than **October 22, 2012**. The objections shall state concisely the evidentiary grounds for the objection and the legal authority supporting the objection. If the authority is a Federal Rule of Evidence, the Rule shall be cited; if the authority is case law, a copy of the case shall be provided to the court.

- On or before **October 10, 2012**, the parties shall file jointly their designations of deposition testimony to be read to the jury. The plaintiff's designations shall be highlighted on the deposition transcript in yellow; the defendant's designations shall be highlighted in blue; and any designations which are objected to shall be highlighted in pink. Briefs addressing the parties' respective positions on the objected to designations shall be filed on or before **October 22, 2012**.

- On or before **October 10, 2012**, the parties shall file proposed jury instructions, verdict forms, and voir dire questions. Prior to that date, the parties shall confer in an attempt to reach agreement on stipulated jury instructions and verdict forms. Stipulated jury instructions and verdict forms shall be so designated. Any jury instructions or verdict forms about which the parties cannot agree shall be submitted as disputed. A citation of authority in support of each proposed jury instruction must be contained at the bottom of each instruction submitted. Briefs addressing the parties' respective positions on the disputed jury instructions and verdict forms shall be filed on or before **October 22, 2012**.

- On or before **October 22, 2012**, the parties shall submit a statement of the case, including a statement of the claims and defenses, that the parties stipulate may be read to the jury at the commencement of the trial.

- On or before **October 22, 2012**, the parties shall notify my courtroom deputy of

the need for any special accommodations required by an 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.

2. At the Final Pretrial Conference

- The parties shall submit 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.

- The parties shall submit three copies of their exhibit lists (including joint exhibits). Stipulations as to authenticity and admissibility shall be set forth on the exhibit lists. The parties shall be prepared at the Final Pretrial Conference to enter into additional stipulations as to the admissibility of exhibits.

- The parties shall submit to the Courtroom Deputy the original exhibits, properly marked and filed in notebooks. Plaintiffs’ exhibits should be marked with yellow labels, designated as P-1, P-2, etc. Defendants’ exhibits should be marked with blue labels, designated as D-1, D-2, etc. Joint exhibits should be marked with white labels, designated by numbers without any prefix. The civil action number should appear on each exhibit sticker. Exhibits with more than one page shall have each page separately numbered. Dividers with the exhibit designation 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 and shall exchange one copy with opposing counsel, if all exhibits have not already been exchanged.

3. On the First Day of Trial

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

4. General Information

- 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. Any request for transcripts should be directed to the courtroom deputy. Extraordinary requests, such as for daily copy, should be made at least 30 days in advance of the trial date.

- My secretary is Estee Fraitag. She can be reached at 303-844-6408.
- My staff attorney is Renee Christian. She can be reached at 303-844-6408.
- 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 January 31, 2012.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge