

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

BRITNEY TERRELL

CIVIL ACTION NO. 16-cv-1102

VERSUS

MAGISTRATE JUDGE HORNSBY

JIMMY ENGLAND, ET AL.

MEMORANDUM ORDER

Introduction

The proposed pretrial order is adopted. Jury trial will commence on June 28, 2021 at 9:30 a.m. in Courtroom 3. Questions regarding the pretrial and trial proceedings may be directed to law clerk Chris Slatten (934-4696) or to courtroom deputy Jill Keller (934-4733). Counsel shall inform the court immediately if settlement is reached.

Jury Questionnaires

Jury questionnaires will be available to the attorneys in the office of the Clerk of Court after 1:00 p.m. on Friday, June 25, 2021. The information in the questionnaires is considered privileged, so the attorneys are not allowed to copy the questionnaires or share them with any other persons, including their clients, and they shall return the questionnaires to the courtroom deputy after jury selection. Counsel are prohibited from making contact, direct or indirect, with potential jurors or researching them on social media.

Jury Selection

The court will conduct the initial voir dire. The parties may submit proposed questions that they wish the court to ask. Each side will then be allowed 15 minutes for

attorney voir dire, which is limited to questions about the jurors, the juror's questionnaire responses, and the jurors' answers to the court's questions. Attempting to argue the case during voir dire will terminate a party's opportunity.

After voir dire, the court will consider any challenges for cause. Each side will then be allowed to exercise three peremptory strikes. Fed. R. Civ. Pro. 47; 28 USC § 1870. The sides will exercise their strikes simultaneously and in writing. The jury will consist of the first eight remaining members of the panel. There will be no alternates. All members of the jury will deliberate and vote, and their verdict must be unanimous. Fed. R. Civ. Pro. 48.

Opening Statements

Each side will be allowed 15 minutes to make an opening statement. Jury selection may be completed in the morning, so counsel should be prepared to deliver an opening statement before lunch.

File/Delivery Deadlines

June 18, 2021 (Friday); Jury Instructions

1. File proposed jury instructions. The parties are urged to make the proposed instructions joint to the extent possible. Any competing instructions must be supported with pinpoint citations to specific authority. The parties should also file any objections they may have to a proposed instruction. A party's failure to submit a proposed instruction on a claim or defense by the deadline may result in a waiver of the claim or defense. Fed. R. Civ. Pro. 51(a).
2. File a proposed joint verdict form.
3. File a joint neutral statement that may be read to the jury at the beginning of the proceedings to generally describe the parties and the dispute. The purpose of this statement, along with a reading of the witness lists, is to help alert the

prospective jurors as to whether they may be familiar with the parties, the dispute, or a witness.

4. File any questions a party wishes the court to ask during voir dire.


June 23, 2021 (Wednesday); Exhibits and Demonstrative Aids

1. A joint exhibit book (or separate books if a joint book is not feasible) in a three-ring, tabbed binder must be delivered to chambers. The parties must have available at the commencement of trial an additional 11 copies of the exhibit book(s) for the court, witness, and jurors. Counsel should also make whatever copies they require for their own use. To avoid bulky books, counsel may introduce into evidence the entirety of lengthy exhibits, such as medical records, but place in the books only those portions or pages they intend to discuss at trial. If multiple binders are used, different color binders will avoid confusion and delay during trial.
2. A copy of any demonstrative aid that is intended for use at trial must be shared with opposing counsel. If a demonstrative aid is impractical to share, counsel shall provide a detailed description of the aid, explain why it may not be shared, and make it available for inspection. Any objection to a proposed demonstrative aid must be filed immediately.

June 21 & 23, 2021; Final Will Call Lists & Glossary of Terms

1. Plaintiff's final will-call witness list must be filed by June 21, 2021. Defendant's final will-call list must be filed by June 23, 2021. A party is responsible for producing its final will-call witnesses at trial, even if that party decides not to call the witness. Witnesses who are not listed will not be allowed to testify.
2. By June 23, 2021, the parties must submit for the court reporter a glossary of the names of witnesses and counsel and any technical or unusual terms that will be used at trial. Real-time electronic transcript service is available by a prior arrangement with the court reporter, which request should be made two weeks before trial.

THUS DONE AND SIGNED in Shreveport, Louisiana, this 26th day of May, 2021.



Mark L. Hornsby
U.S. Magistrate Judge