

1 Rene L. Valladares
 Federal Public Defender
 2 Nevada State Bar No. 11479
 3 *Jeremy C. Baron
 Assistant Federal Public Defender
 4 District of Columbia Bar No. 1021801
 Amelia L. Bizzaro
 5 Assistant Federal Public Defender
 6 Wisconsin State Bar No. 145709
 411 E. Bonneville Ave. Suite 250
 7 Las Vegas, Nevada 89101
 (702) 388-6577
 8 jeremy_baron@fd.org
 9 amelia_bizzaro@fd.org

10 *Lead attorney for Petitioner Julius Bradford
 11
 12

13 UNITED STATES DISTRICT COURT
 14 DISTRICT OF NEVADA

15 Julius Bradford,

16 Petitioner,

17 v.

18 William Gittere, et al.,

19 Respondents.
 20

Case No. 2:13-cv-01784-RFB-EJY

**Joint Prehearing
 Scheduling Order**

21
 22
 23
 24
 25
 26
 27

1 **ORDER**

2 The Court has set an evidentiary hearing regarding the merits of Ground Two
3 in Mr. Bradford's second amended petition. ECF No. 124. It is hereby ordered that
4 counsel for the parties will comply with the following prehearing procedures:

5 1. **Pre-hearing motions.** No later than twenty-one (21) days prior to the
6 hearing, the parties shall file any relevant pre-hearing motions. The parties shall
7 file oppositions to pre-hearing motions no later than fourteen (14) days prior to the
8 hearing. The parties shall file replies in support of pre-hearing motions no later
9 than seven (7) days prior to the hearing.

10 2. **The exchange of preliminary witness and exhibit lists and evi-**
11 **dentiary stipulations.** No later than twenty-one (21) days prior to the hearing,
12 counsel shall meet and confer either in person or by telephone and shall exchange
13 preliminary exhibit and witness lists. The preliminary witness lists shall include
14 disclosures of anticipated expert witnesses, if any, along with written reports con-
15 taining the information described in Federal Rule of Civil Procedure 26(a)(2)(B). The
16 parties shall also exchange (either in person or indirectly, including via email) any
17 exhibits not already possessed by opposing counsel. The parties shall also discuss
18 stipulations as to the authenticity of proposed exhibits and any anticipated eviden-
19 tiary objections.

20 3. **Meet-and-confer regarding the final witness and exhibit lists**
21 **and evidentiary objections.** No later than sixteen (16) days prior to the hearing,
22 counsel shall again meet and confer to discuss their anticipated final witness and
23 exhibit lists and evidentiary objections.

24 4. **The final witness and exhibit lists and evidentiary objections.**
25 No later than fourteen (14) days prior to the hearing, counsel shall jointly file a con-
26 solidated final list of the witnesses and exhibits to be offered jointly and/or by each
27 party. The list shall identify any evidentiary objections that may be anticipated in

1 advance of the hearing. No party will be allowed to introduce over objection any wit-
2 ness or exhibit not listed in the final witness and exhibit list, except that a party may
3 file a supplement no later than seven (7) days prior to the hearing listing evidence in
4 response to any witness or exhibit identified for the first time in the final list. No
5 objection that may be anticipated in advance of the hearing will be preserved unless
6 raised in the final list.

7 **5. Other housekeeping matters.** The hearing is currently set to be con-
8 ducted by videoconference. The Court directs the parties to jointly contact the Court-
9 room Administrator no later than fourteen (14) days prior to the hearing to discuss
10 the logistics of the videoconference hearing. The Court anticipates the hearing may
11 take up to a full day. If counsel anticipate the hearing will run longer than one full
12 day, or if counsel have other housekeeping matters to address regarding the hearing,
13 they will discuss those issues with the Courtroom Administrator at the same time.

14 **6. Prisoner transport order and subpoenas of non-prisoner wit-**
15 **nesses.** The hearing is currently set to be conducted by videoconference. No later
16 than fourteen (14) days before the hearing, Petitioner's counsel will submit an order
17 directing the Nevada Department of Corrections to secure Petitioner's attendance at
18 the videoconference hearing. Any party wishing to call any other prisoner to testify
19 shall submit a similar order by the same date. No continuance will be granted for
20 failure to secure the video attendance of Petitioner or any other prisoner unless an
21 order to compel attendance was timely sought. Similarly, no continuance will be
22 granted for failure to secure the video attendance of a non-prisoner witness who was
23 not seasonably subpoenaed.

24 **7. Pre-hearing briefs.** No later than seven (7) days prior to the hearing,
25 counsel for Petitioner and for Respondents each will file a pre-hearing brief setting
26 forth the evidence and the legal arguments they expect to present at the evidentiary
27 hearing.

