



exhibits, and any counterdesignations and accompanying exhibits, shall be filed by **Tuesday, September 8, 2015**. Any objections to the counter-designations and exhibits, and any counter-designations to an opposing party's counterdesignations, shall be filed by **Monday, September 21, 2015**. No additional testimony may be designated after **September 21, 2015** absent leave of Court. The parties shall meet and confer no later than **Monday, September 28, 2015** to resolve objections to testimony and exhibits and to resolve any proposed redactions to exhibits. Any unresolved objections shall be presented to The Honorable U.S. Magistrate Judge David C. Keesler for resolution at a hearing to be held **on October 7, 2015**.

Failure to accomplish this prior to trial will result in objections being deemed to be waived.

3) Judicial Settlement Conference. Pursuant to Local Civil Rules 16.2(A) and 16.3(D), the parties shall participate in a Judicial Settlement Conference with U.S. Magistrate Judge Keesler **on November 5, 2015**.

4) Motions In Limine. All motions in limine shall be filed **on or before Monday, November 9, 2015**. Responses shall be due **on or before Monday, November 23, 2015**. It is the practice of the Court to defer ruling on motions in limine raising evidentiary issues until the evidence is underway and the question of admissibility is squarely presented at trial. Absent specific direction from the undersigned judge, issues raised in motions in limine may not be referenced or mentioned in any way during either *voir dire* or opening statements.

5) Proposed Jury Instructions / Verdict Form. The parties shall submit proposed jury instructions and a proposed verdict form **on or before Monday, November 16, 2015**. Counsel should number each proposed instruction and submit each instruction on a separate page. Each proposed instruction must contain a supporting citation(s) as a footnote. A proposed instruction submitted without supporting adequate legal authority may not be considered. Counsel need not

submit introductory or preliminary boilerplate instructions. In addition to filing proposals via CM/ECF, counsel shall also provide the Judge's Chambers with Word document versions of their proposals.

6) Counsel's Obligations Two Weeks Before Trial. **On or before Monday, November 23, 2015**, counsel for all parties shall:

- (a) File a Trial Brief addressing all questions of law and any anticipated evidentiary issues not previously raised in a motion in limine;
- (b) Exchange copies of exhibits or permit inspection if copying is impractical;
- (c) Submit copies of all exhibits to the Courtroom Deputy in a format compatible with JERS (*See* Paragraph 8); and
- (d) Agree upon Stipulations of Fact and file with the Court.

7) Counsel's Duties First Day Of Trial. **On or before December 7, 2015**, counsel for each party shall file the following:

- (a) A Witness List containing the name of every proposed witness;
- (b) A statement of the education, experience, and qualifications of each expert witness, unless the parties have stipulated to the qualifications of each expert witness;
- (c) Stipulations concerning the authenticity of as many proposed exhibits as possible; and
- (d) An Exhibit List and / or Exhibit Notebook(s) for the Judge's Chambers' out-of-court use. (*See* Paragraph 8).

8) Presentation of Exhibits / Jury Evidence Recording System ("JERS"). Parties are expected to use presentation technology available in the courtroom to display evidence to the jury. Training on the equipment should be arranged well in advance of trial with the courtroom

deputy. (See “Courtroom Technology” link on the district website at [www.ncwd.uscourts.gov](http://www.ncwd.uscourts.gov).) Counsel shall provide in electronic format any exhibits of documents, photographs, videos, and any other evidence that may be reduced to an electronic file, for the use of Court personnel and the Court’s Jury Evidence Recording System (“JERS”) during trial. Documents and photographs shall be in **.pdf, .jpg, .bmp, .tif, or .gif** format. Video and audio recordings shall be in **.avi, .wmv, .mpg, .mp3, .wma, or .wav** format. Each electronic exhibit shall be saved as a separate, independent file, and provided to the Court on a storage device, such as cd, dvd, or flash drive. Exhibit files shall be named consistent with their order and name on the exhibit list. For example:

Exhibit 1 – photograph of . . .

Exhibit 2 – contract

Exhibit 3 – video deposition of . . .

If counsel for any party intends to tender more than fifteen (15) documentary exhibits, counsel for that party shall prepare one (1) exhibit notebook, or set of notebooks, for the Court’s out-of-court use. Each exhibit notebook, shall contain an index listing all of the exhibits and a copy of each exhibit. Counsel shall tab each exhibit and shall numerically arrange each exhibit notebook, or set of exhibit notebooks.

Signed: June 2, 2015



Richard L. Voorhees  
United States District Judge

