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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Case No.

Plaintiff(s),
v.
Defendant(s).

CIVIL TRIAL ORDER

I. DEADLINES

A. PARTIES/PLEADINGS: The Court has established a cut-off date for adding parties or amending pleadings. All motions to add parties or to amend the pleadings must be noticed to be heard on or before the cut-off date. All unserved parties will be dismissed at the time of the Final Pretrial Conference pursuant to Local Rule 16-8.1.

B. DISCOVERY AND DISCOVERY CUT-OFF

1. Discovery Cut-off: The Court has established a cut-off date for discovery and also expert discovery, if applicable. These are not the dates by which discovery requests must be served; they are the dates by which all discovery, including all hearings on any related motions, must be completed.

1 **2. Discovery Disputes:** Counsel are expected to comply
2 with all Local Rules and the Federal Rules of Civil Procedure
3 concerning discovery, as well as this Court’s procedures, found at
4 <https://www.cacd.uscourts.gov/honorable-stephanie-s-christensen>.
5 Whenever possible, the Court expects counsel to resolve discovery
6 problems among themselves in a courteous, reasonable, and
7 professional manner. The Court expects that counsel will adhere
8 strictly to the Civility and Professionalism Guidelines, which can be
9 found on the Court’s website at:
10 <https://www.cacd.uscourts.gov/attorneys/admissions>.

11 **3. Discovery Motions:** Any motion challenging the
12 adequacy of discovery responses must be filed, served, and calendared
13 sufficiently in advance of the discovery cut-off date to permit the
14 responses to be obtained before that date if the motion is granted.
15 Pursuant to this Court’s procedures, no discovery motion may be filed
16 until the Court has conducted a pre-motion conference unless the
17 movant has obtained leave of Court sought by an *ex parte* application.
18 The parties must review those procedures at:
19 <https://www.cacd.uscourts.gov/honorable-stephanie-s-christensen>.

20 **4. Depositions:** All depositions must commence
21 sufficiently in advance of the discovery cut-off date to permit their
22 completion and to permit the deposing party enough time to bring any
23 discovery motions concerning the deposition before the cut-off date.

24 **5. Written Discovery:** All interrogatories, requests for
25 production of documents, and requests for admissions must be served
26 sufficiently in advance of the discovery cut-off date to permit the
27 discovering party enough time to challenge (via motion practice)
28 responses deemed to be deficient.

1 **6. Expert Discovery:** All disclosures must be made in
2 writing. The parties should begin expert discovery shortly after the
3 initial designation of experts. The Final Pretrial Conference and trial
4 dates will not be continued merely because expert discovery is not
5 completed. Failure to comply with these or any other orders concerning
6 expert discovery may result in the expert being excluded as a witness.

7 **C. MOTIONS**

8 The Court has established a cut-off date for the hearing of
9 motions. All motions, including *Daubert* motions, but excluding
10 motions *in limine*, must be noticed so that the hearing takes place on or
11 before the motion cut-off date.

12 **D. FINAL PRETRIAL CONFERENCE**

13 A Final Pretrial Conference date has been set pursuant to Rule 16
14 of the Federal Rules of Civil Procedure and Local Rule 16-8. Each party
15 appearing in this action must be represented at the Final Pretrial
16 Conference by the attorney who is to have charge of the conduct of the
17 trial on behalf of such party, unless excused for good cause. Counsel
18 should not claim to be co-lead trial counsel for the purpose of avoiding
19 this requirement. If counsel purport to be co-lead trial counsel, both
20 must attend the Final Pretrial Conference. Counsel should be prepared
21 to discuss streamlining the trial, including presentation of testimony by
22 deposition excerpts or summaries, time limits, and stipulations to
23 admission of exhibits and undisputed facts.

24 Strict compliance with Local Rule 16 is required. This order sets
25 forth some different and some additional requirements. This Court
26 does not exempt *pro per* parties from the requirements of Rule 16.
27 Failure to comply with these requirements may result in the Final
28 Pretrial Conference being taken off calendar or continued, or in other

1 sanctions. Other documents to be filed in preparation for, and
2 issues to be addressed at, the Final Pretrial Conference are discussed
3 below.

4 **E. ALTERNATIVE DISPUTE RESOLUTION (ADR)**
5 **PROCEDURES/NOTICE OF SETTLEMENT**

6 Counsel must complete an ADR proceeding no later than the date
7 set by the Court.

8 No case will proceed to trial unless all parties, including an officer
9 of all corporate parties (with full authority to settle the case), have
10 appeared personally at an ADR proceeding.

11 If settlement is reached, it must be reported immediately to the
12 courtroom deputy clerk (CRD) as required by Local Rule 16-15.7
13 regardless of the day or time settlement is reached. In addition, counsel
14 must immediately send a notification of the settlement to the Chambers
15 email box.

16 In all cases set for jury trial, the parties must notify the Court of
17 any settlement no later than the Wednesday preceding the week that
18 trial is set to start so that the necessary arrangements can be made to
19 schedule a different case for trial or notify the members of the public
20 who would otherwise be reporting for jury duty that their services are
21 not needed on that date. Failure to comply with this notification
22 requirement will cause counsel/parties to be charged for the costs
23 related to processing potential jurors.

24
25 **II. TRIAL PREPARATION AND DEADLINES**

26 **A. MOTIONS *IN LIMINE***

27 All motions *in limine* must be filed by the date established by the
28 Court. Each side is limited to four motions *in limine* unless the Court

1 orders otherwise for good cause shown. Counsel are to meet and confer
2 as required by Local Rule 7-3 to determine whether opposing counsel
3 intends to introduce the disputed evidence, and to attempt to reach an
4 agreement that would obviate the motion. An opposition must be filed
5 by the date established by the Court. The Court generally will rule on
6 motions *in limine* at the Final Pretrial Conference. Motions *in limine*
7 should address specific issues (*i.e.*, not “to exclude all hearsay”).
8 Motions *in limine* should not be disguised motions for summary
9 adjudication of issues.

10 Motions *in limine* and oppositions thereto may be no more than
11 2,800 words. Reply briefs, if any, may be no more than 2,100 words.
12 Each side is limited to four motions *in limine* and each motion shall not
13 be compound, *i.e.*, each motion shall address only one item of evidence
14 or witness or, if common grounds for exclusion or admission apply to
15 multiple items of evidence or witnesses, only one category of evidence or
16 witness. A party seeking to file more than four motions *in limine* must
17 request leave of the Court to do so.

18 **B. PROPOSED PRETRIAL CONFERENCE ORDER**

19 A (Proposed) Pretrial Conference Order must be filed no later than
20 five (5) court days before the Final Pretrial Conference and must comply
21 with the format and content required in the Local Rules.

22 **C. TRIAL-RELATED DOCUMENTS**

23 **1. Statement of the case (jury trials only):** Counsel
24 will prepare a joint statement of the case which may be read by the
25 Court to the prospective panel of jurors prior to the commencement of
26 *voir dire*. The statement shall not exceed one page. The statement
27 must be filed with the Court no later than five (5) court days before the
28 Final Pretrial Conference date.

1 **2. Witness list:** Using the format provided below, the
 2 parties shall file a joint witness list no later than five (5) court days
 3 prior to the Final Pretrial Conference. Counsel are to submit the full
 4 names of the witnesses in the order that they are expected to testify,
 5 and provide, to the extent possible, an accurate estimate of the time
 6 needed for each witness for direct, cross, redirect, and re-cross. Counsel
 7 will also provide a description of each witness’ testimony, *e.g.*,
 8 “eyewitness to accident.” If more than one witness is offered on the
 9 same subject, the description should be sufficiently detailed to allow the
 10 Court to determine if the testimony is cumulative. Any special
 11 considerations should be noted in the “comments” section, *e.g.*, “will
 12 testify through a Spanish language interpreter.” Further, the parties
 13 shall comply with the requirements of Local Rule 16-5.

JOINT WITNESS LIST					
Case Name:					
Case Number:					
No. of Witness	Witness Full Name	Party Calling Witness and Estimate	X-Examiner’s Estimate	Description of Testimony	Comments

20 **3. Findings of Fact and Conclusions of Law (Court**
 21 **Trials only):** Notwithstanding Local Rule 52, for any matter requiring
 22 findings of fact and conclusions of law, unless otherwise expressly
 23 ordered by the Court, counsel will be required to file (Proposed)
 24 Findings of Fact and Conclusions of Law after the conclusion of the
 25 trial. The (Proposed) Findings of Fact must include citations to
 26 admitted evidence. Where witness trial testimony is necessary to
 27 establish a given fact, the party must obtain a transcript of the
 28 proceedings and file relevant excerpts of those transcripts with the

1 (Proposed) Findings of Fact and Conclusions of Law. In addition to
2 filing, counsel must email Microsoft Word versions of their (Proposed)
3 Findings of Fact and Conclusions of Law to the chambers email
4 address: SSC_Chambers@cacd.uscourts.gov.

5 **4. Jury Instructions and Verdict Forms:**

6 **a.** At least 14 days before the meeting of counsel
7 required by Local Rule 16-2 (which must occur at least 40 days before
8 the date set for the Final Pretrial Conference), counsel for plaintiff(s)
9 must serve on defense counsel proposed jury instructions and proposed
10 verdict/special verdict forms. Within seven (7) days, defense counsel
11 must serve objections, if any, to those instructions and verdict forms, as
12 well as any proposed alternative or additional instructions and verdict
13 forms. Before or at the Rule 16-2 meeting, counsel must attempt to
14 come to agreement on the proposed jury instructions and verdict forms.

15 **b.** When the Manual of Model Jury Instructions for
16 the Ninth Circuit provides an applicable jury instruction, the parties
17 should submit the most recent version, modified and supplemented to
18 fit the circumstances of this case. Where language appears in brackets,
19 the appropriate language should be selected. All blanks should be
20 completed. Where California law applies, counsel should use the
21 current edition of California Jury Instructions–Civil (BAJI or CACI). If
22 neither is applicable, counsel should consult the instructions manuals
23 from other circuits or states, as applicable. When submitting other
24 than Ninth Circuit or California instructions, counsel should be sure
25 that the law on which the instruction is based is the same as Ninth
26 Circuit law (or California or other state law, if applicable) on the
27 subject. Counsel may submit alternatives to the Ninth Circuit model
28 jury instructions, or BAJI or CACI, only if counsel has a reasoned

1 argument that those instructions do not properly state the law or they
2 are incomplete.

3 **c.** The Court has its own introductory instructions
4 (instructions read before opening statements). Counsel should provide
5 only instructions to be read after the evidence has been submitted or
6 that may be appropriate during trial.

7 **d.** Each requested instruction must (1) cite the
8 authority or source of the instruction; (2) be set forth in full; (3) be on a
9 separate page; (4) be numbered; (5) cover only one subject or principle of
10 law; and (6) not repeat principles of law contained in any other
11 requested instruction. The instructions should be submitted in the
12 order in which the parties wish to have the instructions read.

13 **e.** Unless otherwise ordered by the Court, all
14 proposed jury instructions and verdict forms are to be filed no later
15 than five (5) days prior to the Final Pretrial Conference date. If one
16 party fails to comply with the provisions of this section, the other party
17 must file a unilateral set of jury instructions, unless that party wishes
18 to waive jury trial. The Court expects counsel to agree on the
19 substantial majority of jury instructions, particularly when pattern or
20 model instructions provide a statement of applicable law. In the event
21 that agreement cannot be reached, counsel will file proposed
22 instructions in the following format: (1) the agreed-upon instructions;
23 (2) the instructions proposed by plaintiff and opposed by defendant; and
24 (3) the instructions proposed by defendant and opposed by plaintiff.

25 **f.** In addition, counsel must submit electronic
26 versions (in Microsoft Word format) of all proposed instructions to the
27 chambers email address.

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1 **g.** Each disputed instruction must have attached a
2 short (one or two paragraph) statement, including points and
3 authorities in support of the instruction, as well as a brief statement,
4 including points and authorities, in support of any objections. A
5 proposed alternative instruction must be provided, if applicable. If the
6 Court believes that there are so many disputed instructions that the
7 trial would be unnecessarily interrupted in order for the Court to
8 resolve disputes, the Court will determine that the matter is not yet
9 ready to be tried and will order counsel to continue to meet and confer
10 until most of the disputes are resolved.

11 **h.** With each set of instructions filed, counsel must
12 provide an index of all instructions submitted per the example below,
13 which must include the following:

- 14 -The number of the instruction;
- 15 -The title of the instruction;
- 16 -The source of the instruction and any relevant case
17 citations;
- 18 -The page number of the instruction.

19

Instruction No.	Title	Source	Page
1	Duty of the Jury	9 th Cir. 1.4	1

20
21

22 **i.** During the trial and before closing argument, the
23 Court will meet with counsel and settle the instructions, and counsel
24 will have an opportunity to make a further record concerning their
25 objections.

26 **5. Glossary:** No later than five (5) court days before the
27 Final Pretrial Conference, the parties are to file a case-specific glossary
28 for the Court and reporter that includes applicable medical, scientific,

1 or technical terms, slang, the names and spellings of case names likely
2 to be cited, street/city/country names, all parties/entities involved in the
3 case, names of people interviewed/deposed, names of family members,
4 friends, or others who might be mentioned, and other case-specific
5 terminology.

6 **6. Exhibit List and Conference:**

7 **a. Joint Exhibit List:** A joint exhibit list shall be
8 prepared in compliance with the example below and Local Rule 16-6.1.
9

JOINT EXHIBIT LIST					
Case Name:					
Case Number:					
Exhibit No.	Description	Stip. to Authen.	Stip. to Admiss.	Date Identified	Date Admitted

14 The joint exhibit list will be filed no later than five (5) court days
15 prior to the Final Pretrial Conference, and shall contain the information
16 required by Rule 26(a)(3)(A) of the Federal Rules of Civil Procedure.

17 The parties are to meet and confer sufficiently in advance of the
18 required filing deadline to prepare the joint exhibit list. As part of the
19 meet and confer process, counsel will stipulate so far as is possible as to
20 foundation, waiver of the best evidence rule, and to those exhibits which
21 may be received into evidence at the start of trial.

22 A copy of the exhibit list with all admitted exhibits will be given to
23 the jury during deliberations. Counsel must review and approve the
24 exhibit list with the CRD before the list is given to the jury.

25 **b. Exhibit Preparation:** Exhibits are to be tagged
26 in the lower right corner of each original page and numbered in
27 accordance with Local Rule 16-6. Exhibits consisting of more than one
28 page shall be internally paginated in the lower right corner, displaying

1 both the exhibit number and the page number. Exhibit tags may be
2 obtained from the receptionist in the Public Intake Section, located on
3 the first floor of the Edward R. Roybal Federal Building at 255 East
4 Temple St., Room 180. Digital exhibit tags are also available on the
5 Court's website under Court Procedures > Forms > General forms >
6 Form G-14A (plaintiff) and G-14B (defendant).

7 If the parties choose to use paper/physical exhibits (versus digital),
8 all exhibits will be placed in 3-ring, loose-leaf binders, in numerical
9 order, with divider tabs containing exhibit numbers. The face and spine
10 of the notebooks are to be marked with the case name and number, the
11 numbers of the exhibits contained therein, and the volume number.
12 Each binder must contain an index of the exhibits included in the
13 volume. Any exhibits that a party wishes the jury to see in its original
14 form (versus replicated form), should be placed in a Redweld and
15 labeled and numbered as specified herein.

16 The parties shall prepare two sets of exhibit binders for the Court,
17 and another set of binders for the opposing party. All sets must be
18 brought to the Exhibit Conference (discussed below) if one is ordered,
19 or otherwise, on the morning trial begins.

20 If ordered by the Court in a case with a large number of exhibits,
21 or if otherwise desired by the parties, the parties must also prepare
22 individual witness binders: one for the Court; one for the opposing
23 party; and one for the witness. Witness binders are to include only
24 those exhibits that will be used when a particular witness testifies.
25 The name of the witness should appear on the binder, and exhibits
26 must be in numerical order and tabbed so that the witness, the Court,
27 and the opposing party may easily access each exhibit as the witness's
28 testimony proceeds. Witness binders are used for the convenience of

1 the witness, the Court, and the parties. Accordingly, they need not be
2 given to the CRD or the opposing side until each witness is called.

3 If the parties wish to use a paperless presentation method, details
4 must be discussed at the Final Pretrial Conference.

5 **c. Exhibit Conference: AN EXHIBIT**
6 CONFERENCE REQUIRING THE ATTENDANCE OF TRIAL
7 COUNSEL WILL BE HELD AT 3:30 P.M. ON THE FRIDAY BEFORE
8 THE SCHEDULED TRIAL DATE, UNLESS THE COURT ORDERS
9 OTHERWISE. Exhibits are to be submitted to the CRD at the time of
10 this conference.

11 **7. Jury Selection:**

12 **a. Voir Dire:** No later than five (5) court days
13 before the Final Pretrial Conference, each counsel may, but is not
14 required to, file with the Court any special questions requested to be
15 put to prospective jurors during *voir dire*. The Court will conduct the
16 *voir dire*. The Court provides a list of basic questions and may provide
17 a list of additional case-specific questions to jurors before *voir dire*.
18 (This is not a questionnaire to be completed by jurors; the answers are
19 provided in court.) The Court will allow each side no more than 15
20 minutes to ask follow-up questions of those jurors.

21 **b. Selection:** Generally, the Court will select eight
22 jurors. Each side will have three peremptory challenges. The Court
23 uses the “Arizona blind strike” method. *See United States v. Harper*, 33
24 F.3d 1143, 1145 (9th Cir. 1994). Under that method, the Court
25 conducts *voir dire* of the entire jury panel, then permits limited follow-
26 up by counsel as described above. After potential jurors are excused for
27 cause, counsel for each side simultaneously submit their peremptory
28 challenges in writing. The Court then eliminates the subjects of the

1 peremptory challenges and selects the eight lowest numbered
2 remaining panel members as the jury.

3 **C. TRIAL**

4 **1.** On the day of jury selection, Counsel must be prepared
5 to go on the record at 8:30 a.m.; trial will begin at 9:00 a.m. Thereafter,
6 trial days are generally Tuesday through Friday, 8:30 a.m. to 2:30 p.m.,
7 with three fifteen-minute breaks. When necessary, trials may continue
8 beyond the normal schedule. If counsel contemplate that this schedule
9 will be problematic due to the unavailability of witnesses, counsel
10 should provide details to the Court at the Final Pretrial Conference.

11 **2.** On the day of jury selection, the Court reserves the
12 time from 8:30 a.m. to 9:00 a.m. to handle legal and administrative
13 matters. Jury selection will begin promptly at 9:00 a.m. or as soon as
14 jurors are available. Thereafter, legal and administrative matters must
15 be addressed between 8:15 a.m. and 8:30 a.m. All counsel are urged to
16 anticipate matters that may need to be addressed outside of the
17 presence of the jury and to raise them during this period or at the end of
18 the day. The Court discourages sidebars during trial. The Court does
19 not make jurors wait while counsel discuss matters that should have
20 been addressed previously. Counsel are urged to consider any unusual
21 substantive or evidentiary issues that may arise and to advise the
22 Court of such issues as early as possible. Short briefs addressing such
23 disputed issues are welcome.

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1 **III. CONDUCT OF ATTORNEYS AND PARTIES**

2 **A. OPENING STATEMENTS, EXAMINING WITNESSES,**
3 **AND SUMMATION**

4 1. Counsel must use the lectern for opening statements,
5 examination of witnesses, and summation arguments.

6 2. The Court will establish reasonable time estimates for
7 opening and closing arguments, examination of witnesses, etc.

8 **B. OBJECTIONS TO QUESTIONS**

9 1. Counsel must not use objections for the purpose of
10 making a speech, recapitulating testimony, or attempting to guide the
11 witness.

12 2. When objecting, counsel must rise to state the objection
13 and state only that counsel objects and the legal ground of objection. If
14 counsel wishes to argue an objection further, counsel must ask for
15 permission to do so.

16 **C. GENERAL DECORUM**

17 1. Counsel should not approach the CRD or the witness
18 box without specific permission. If permission is given, counsel should
19 return to the lectern when the purpose has been accomplished. Counsel
20 should not question a witness at the witness stand.

21 2. Counsel and parties should rise when addressing the
22 Court and when the Court or the jury enters or leaves the courtroom.

23 3. Counsel should address all remarks to the Court.
24 Counsel are not to address the CRD, the court reporter, persons in the
25 audience, or opposing counsel while on the record. If counsel wish to
26 speak with opposing counsel, counsel must ask permission to do so.

27 Any request for the re-reading of questions or answers must be
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1 addressed to the Court. Such requests should be limited and are not
2 likely to be granted.

3 **4.** Counsel should not address or refer to witnesses or
4 parties by first name alone. Young witnesses (under 14) may, however,
5 be addressed and referred to by first name.

6 **5.** Counsel must not offer a stipulation unless counsel has
7 conferred with opposing counsel and has verified that the stipulation
8 will be acceptable.

9 **6.** While Court is in session, counsel must not leave
10 counsel table to confer with any personnel or witnesses unless
11 permission has been granted in advance.

12 **7.** Counsel should not by facial expression, nodding, or
13 other conduct exhibit any opinion, adverse or favorable, concerning any
14 testimony being given by a witness, statements or arguments by
15 opposing counsel, or rulings by the Court. Counsel should admonish
16 counsel's own clients and witnesses to avoid such conduct.

17 **8.** Counsel should not talk to jurors at all and should not
18 talk to co-counsel, opposing counsel, witnesses, or clients where the
19 conversation can be overheard by jurors. Each counsel should
20 admonish counsel's own clients and witnesses to avoid such conduct.

21 **9.** Where a party has more than one lawyer, only one may
22 conduct the direct or cross-examination of a particular witness or make
23 objections as to that witness.

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1 **D. PROMPTNESS OF COUNSEL AND WITNESSES**

2 **1.** The Court makes every effort to begin proceedings at
3 the time set. Promptness is expected from counsel and witnesses. Once
4 counsel are engaged in trial, the trial is counsel’s first priority. The
5 Court will not delay the trial or inconvenience jurors except under
6 extraordinary circumstances. The Court will advise other courts that
7 counsel are engaged in trial in this Court on request.

8 **2.** If a witness was on the stand at a recess or
9 adjournment, counsel must have the witness back on the stand, ready
10 to proceed, when the court session resumes.

11 **3.** Counsel must notify the CRD in advance if any witness
12 should be accommodated based on a disability or for other reasons.

13 **4.** No presenting party may be without witnesses. If
14 counsel has no more witnesses to call and there is more than a brief
15 delay, the Court may deem that party to have rested.

16 **5.** The Court attempts to cooperate with professional
17 witnesses and will, except in extraordinary circumstances,
18 accommodate them by permitting them to be called out of sequence.
19 Counsel must anticipate any such possibility and discuss it with
20 opposing counsel. If there is an objection, counsel must confer with the
21 Court in advance.

22 **E. EXHIBITS**

23 **1.** Each counsel should keep counsel’s own list of exhibits
24 and should note when each has been admitted into evidence.

25 **2.** Each counsel is responsible for any exhibits that
26 counsel secures from the CRD and must return them before leaving the
27 courtroom at the end of the session.

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1 **3.** An exhibit not previously marked should, at the time of
2 its first mention, be accompanied by a request that the CRD mark it for
3 identification. To save time, counsel must show a new exhibit to
4 opposing counsel before it is mentioned in court.

5 **4.** Counsel are to advise the CRD of any agreements they
6 have with respect to the proposed exhibits and as to those exhibits that
7 may be received so that no further motion to admit need be made.

8 **5.** When referring to an exhibit, counsel should refer to its
9 exhibit number whenever possible. Witnesses should be asked to do the
10 same.

11 **6.** Counsel must not ask witnesses to draw charts or
12 diagrams or ask the Court's permission for a witness to do so. If counsel
13 wishes to question a witness in connection with graphic aids, the
14 material must be fully prepared before the court session starts.

15 **F. DEPOSITIONS**

16 **1.** All depositions to be used at trial, either as evidence or
17 potentially for impeachment, must be provided to the CRD on the first
18 day of trial or such earlier date as the Court may order. Counsel should
19 verify with the CRD that the relevant deposition is in the CRD's
20 possession.

21 **2.** In using depositions of an adverse party for
22 impeachment, either one of the following procedures may be used:

23 **a.** If counsel wishes to read the questions and
24 answers as alleged impeachment and ask the witness no further
25 questions on that subject, counsel must first state the page and line
26 where the reading begins and the page and line where the reading ends,
27 and allow time for any objection. Counsel may then read the portions of
28 the deposition into the record.

1 **b.** If counsel wishes to ask the witness further
2 questions on the subject matter, the deposition is placed in front of the
3 witness and the witness is told to read silently the pages and lines
4 involved. Counsel may either ask the witness further questions on the
5 matter and then read the quotations, or read the quotations and then
6 ask further questions. Counsel should have an extra copy of the
7 deposition for this purpose.

8 **3.** Where a witness is absent and the witness’s testimony
9 is offered by deposition, counsel may (a) have a reader occupy the
10 witness chair and read the testimony of the witness while the
11 examining lawyer asks the questions, or (b) have counsel read both the
12 questions and answers.

13 **G. USING NUMEROUS ANSWERS TO**
14 **INTERROGATORIES AND REQUESTS FOR**
15 **ADMISSIONS**

16 Whenever counsel expects to offer a group of answers to
17 interrogatories or requests for admissions extracted from one or more
18 lengthy documents, counsel should prepare a new document listing each
19 question and answer, and identifying the document from which it has
20 been extracted. Copies of this new document should be given to the
21 Court and opposing counsel.

22 **H. ADVANCE NOTICE OF DIFFICULT OR UNUSUAL**
23 **ISSUES**

24 If any counsel has reason to anticipate that a difficult question of
25 law or evidence will necessitate legal argument requiring research or
26 briefing, counsel must give the Court advance notice. Counsel are
27 directed to notify the CRD at the day’s adjournment if an unexpected
28 legal issue arises. Counsel must also advise the CRD at the end of each

1 trial day of any issues that must be addressed outside the presence of
2 the jury, so that there is no interruption of the trial. The court will not
3 keep jurors waiting.

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5 **“COUNSEL,” AS USED IN THIS ORDER, INCLUDES PARTIES**
6 **APPEARING *IN PROPRIA PERSONA*.**

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8 IT IS SO ORDERED.

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13 HONORABLE STEPHANIE S. CHRISTENSEN
14 UNITED STATES MAGISTRATE JUDGE

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