

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

,

Plaintiff,

-vs-

,

Defendant.

Case No.

TRIAL ORDER

JUDGE JACK ZOUHARY

This case is scheduled for a jury trial on **Tuesday**, _____, **2014 at 9:00 a.m.** in the courtroom of the Honorable Jack Zouhary, United States District Judge, located on the second floor, Courtroom 209, United States Courthouse, 1716 Spielbusch, Toledo, Ohio. Counsel may call Chambers (419-213-5675 or 419-213-5679) concerning trial protocol or procedures.

If a civil case settles within three (3) weeks of trial, the costs of summoning and preparing for a jury, including the mailing of questionnaires in advance of trial, as well as the cost of one day's attendance of jurors, will be assessed against the parties.

JOINT STATEMENT

1. Counsel shall consult with each other and submit a proposed Joint Statement of the Case (to be read to the jury at the beginning of the trial) which should include a brief statement of the

facts, stipulations and contested issues. The Joint Statement may note any disagreements and offer alternate language as appropriate.

**MOTIONS IN LIMINE,
VOIR DIRE AND JURY INSTRUCTIONS**

2. Parties shall submit a list of proposed witnesses with a brief summary of their testimony and a brief discussion of any evidentiary issues likely to arise at trial. If counsel intends to utilize video technology, such as a Power Point presentation, counsel shall provide the presentation in electronic form to both opposing counsel and this Court.

3. Motions in limine may also be filed; opposition due one week later; no replies. Motions will be ruled on in advance of trial.

4. A proposed Juror Questionnaire for mailing to the jury pool in advance of trial will be shared with counsel. Counsel may also file proposed questions to be added to the Questionnaire or to be added to in-court voir dire examination conducted by the Judge. Trial counsel are allowed brief follow-up examination of the venire.

5. Counsel shall consult with each other and file **joint** proposed jury instructions, noting those areas where the parties disagree and offering alternate language with supporting legal authority as appropriate. Counsel should review the District Court website for Judge Zouhary's standard voir dire questions and boilerplate jury charge:

<http://www.ohnd.uscourts.gov/Judges/index.html>

6. Counsel shall provide Chambers with a courtesy hard copy of the above pretrial filings (Paragraphs 1–5) which should be filed at least **two weeks before trial**.

DEPOSITIONS

7. Parties are specifically directed to comply with the provisions of Local Rule 32.1. In addition, when videotape depositions will be presented in lieu of live trial testimony, counsel shall file a complete written transcript of the videotape deposition, with objections noted, no later than **two weeks before trial**. Objections will be ruled on in advance of trial. A hard copy of deposition transcripts to be used at trial, for any purpose, shall be provided to Chambers as well.

EXHIBITS

8. Counsel shall exchange exhibits with each other, and bring to court one set for use at trial. Do not file exhibits with the Clerk of Courts. Counsel shall file a “List of Exhibits” consistent with the JERS CD. See JERS Order and deadline of **two weeks before trial**.

9. Exhibits must be marked before trial with numbers, irrespective of which party is producing the exhibit. No duplicates are allowed. Sequence of numbers is not important.

NOTICE TO COURT REPORTER

10. In order to facilitate the creation of an accurate Realtime record, counsel shall provide a “Notice to Court Reporter” **one week before trial** containing:

- Proper names, including those of witnesses;
- Acronyms;
- Geographic locations;
- Technical (e.g., medical) terms, names or jargon.

The Notice to Court Reporter need **not** be filed but shall be provided in person or via e-mail to Zouhary_Chambers@ohnd.uscourts.gov.

COURTROOM ELECTRONICS

11. Counsel shall notify Chambers well in advance of trial if counsel intend to utilize electronic presentation of evidence, have special needs for courtroom equipment or desire Realtime. Counsel should be trained and familiar with use of courtroom equipment in advance of trial -- training on the eve of or during trial is not permitted.

IT IS SO ORDERED.

s/ Jack Zouhary
JACK ZOUHARY
U. S. DISTRICT JUDGE

, 2014