

STANDING ORDER GOVERNING PROPOSED PRETRIAL ORDERS

The parties shall submit a Proposed Pretrial Order for the Court's consideration that contains the sections and information described below. Proposed pretrial orders must be filed electronically using CM/ECF, with three courtesy copies delivered to chambers on double-sided, 3-hole punched paper. To file the proposed pretrial order electronically, select the appropriate CM/ECF event by selecting "Other Filings" and then "Other Documents," and choose the Proposed Pretrial Order event. The Proposed Pretrial Order must also be e-mailed to Proposed_Order_Chang@ilnd.uscourts.gov in **Wordperfect** format.

1. *Jurisdiction.* State the jurisdictional basis for each claim. If the parties rely on either diversity jurisdiction or another jurisdictional basis that requires a threshold amount, then state whether the parties agree that the amount in controversy exceeds the amount, and include a concise explanation of how the evidence supports that statement.

2. *Trial Attorneys.* List all of the attorneys trying the case, as well as contact information (business address, telephone number, and e-mail address).

3. *Case Statement.* Provide a concise agreed statement of the case to be read by the Court to the jury during jury selection. The statement should include a description of the nature of the case and the claims (plus counter-claims and cross-claims, if any), and the defenses.

4. *Trial Length / Number of Jurors.* State the estimated number of trial days, including jury selection, and state the number of jurors the parties recommend be selected (subject to Rule 48(a)).

5. *Stipulations and Uncontested Facts.* In numbered paragraphs, set forth any stipulations and uncontested facts. No later than 10 business days before the Proposed Pretrial Order's due date, the parties must serve on each other proposed stipulations and uncontested facts. No later than 5 business days before the due date, the parties must confer in good faith to arrive at as many stipulations and uncontested facts as possible.

6. *Witness Description Lists.* Each party shall provide a list of witnesses, including expert witnesses, divided into (a) witnesses who *will* be called; and (b) witnesses who *might* be called. The lists should include even those witnesses whose testimony will not be presented in-court (*e.g.*, a video deposition). For each witness, provide a *very* concise (2 or 3 sentences) description of the witness and the witness's role in the case. For example: "George Washington is Plaintiff's cousin. Washington witnessed the arrest of Plaintiff where Defendants allegedly used excessive force." Or: "John Adams is Defendant's Chief Operating Officer. Adams made promises concerning

the timing of payments under the contract at issue in the case.” Witnesses who are not on the lists are barred from testifying unless the proponent shows good cause for the failure to disclose the witness. The names of witnesses on the lists will be read to the jury during jury selection to ensure that potential jurors do not personally know any witnesses.

7. *Exhibits and Exhibit Charts.* The parties must submit an exhibit chart, one each for Plaintiff’s exhibits and Defendant’s exhibits, including summary exhibits and demonstrative exhibits. The charts must state the following: (a) the exhibit number; (b) the date of the document or exhibit, if applicable; (c) a concise description of the exhibit; (d) a concise statement of the exhibit’s relevance; and (e) whether there is an objection to the exhibit’s admission, and if so, a concise explanation of the objection. The chart’s format shall be substantially similar to the example below (landscape orientation is encouraged).

No.	Date	Description	Relevance	Objection
1	02/15/06	2005 Performance Review	Proves record of satisfactory job performance	R. 402 relevance; R. 403 confusion. Plaintiff fired in 2011.

Any exhibit not objected-to shall be deemed admitted by this Order, unless the exhibit is not referred to during trial testimony or otherwise published to the jury. The parties should make only good-faith objections – in preparation for the pre-trial conference, the Court will review the objections in advance, and thus a frivolous objection will needlessly occupy the Court’s time. The parties shall stipulate to the authenticity of exhibits whenever possible. As noted above, non-objected-to exhibits will be received in evidence by operation of this Order, without any need for further foundation testimony.

At least 5 business days before the pre-trial conference, the parties must submit to chambers 3 sets of exhibit binders containing copies of *objected-to* exhibits. The party that is objecting to an exhibit is responsible for providing the copy of the objected-to exhibit. (After the pretrial conference and rulings on exhibits, binders of the final set of exhibits will be required.)

8. *Damages Itemization.* Plaintiff (and counter/cross-claimants, if applicable) shall itemize damages and other relief sought, and provide a concise explanation of the evidentiary basis for each itemization.

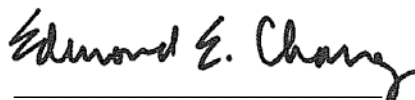
9. *Motions in Limine.* In the Proposed Pretrial Order, each party must provide a list very briefly summarizing its motions in limine, e.g., “Motion to bar reference to Witness A’s drug use.” Motions in limine must be filed the earlier of (a) the due date of the Proposed Pretrial Order or (b) 3 weeks before trial. **The parties must confer on all motions in limine before filing them.** If there is no objection to a motion, but the movant wishes to file a motion memorializing the non-objection, then the motion must state that there is no objection. To the extent reasonable, file multiple motions in one filing (or a few consolidated filings) to reduce the number of filings. Unless otherwise ordered, responses are due 5 business days after the motion’s filing, and replies are due 3 business days after the responses; again, consolidate as much as reasonable. The goal is to be in a position to rule on all of the motions in limine at the pre-trial conference.

10. *Voir Dire Questions.* The parties should check Judge Chang’s website for the standard background questions that the Court asks prospective jurors during *voir dire*. For additional questions, the parties must file a list divided into (a) agreed-upon questions and (b) proposed questions to which one party objects. A short basis for any objection should accompany the list.

11. *Jury Instructions / Verdict Forms.* The parties must meet and confer in order to attempt to agree on as many jury instructions and verdict forms as possible. (Where applicable, the Court generally prefers the Seventh Circuit’s Pattern Instructions.) The proposed jury instructions must state, on an instruction-by-instruction basis, the following information: the proponent of the instruction, the legal authority for the instruction, and whether there is an objection to the instruction. If an instruction is disputed, the proponent of the instruction should concisely explain the basis for the instruction, if more explanation is required beyond the identified legal authority. Moreover, if an instruction is disputed, the objecting party must concisely state – on the page immediately following the instruction – the grounds for the objection, as well as any proposed modification or alternative. The same principles apply to proposed verdict forms.

12. *Signature.* The Proposed Pretrial Order must be signed (electronically) by counsel for each party.

ENTERED:



EDMOND E. CHANG
United States District Judge