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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Plaintiff,

v.

,

Defendants.

No. CV
ORDER

IT IS ORDERED setting an evidentiary hearing on plaintiff's Motion for Preliminary Injunction (Doc. _____) on _____. This hearing will be held at 401 W. Washington Street, Phoenix, Arizona 85003, Courtroom 503.

IT IS FURTHER ORDERED the parties shall jointly prepare and file a joint pre-hearing statement by _____, setting forth the following information:

A. Counsel for the Parties

Provide the mailing address, email address, office number, and cell number for:

Plaintiff(s):

Defendant(s):

B. Statement of Jurisdiction

1. Cite the statute(s) that give this Court jurisdiction (*e.g.*, jurisdiction in this case is based on diversity of citizenship under 28 U.S.C. § 1332).

2. State whether subject matter or personal jurisdiction is disputed. (If so, the party disputing jurisdiction must set forth with specificity the bases for its objection.)

1 **C. Witness List**

2 Each party must separately list the names of witnesses, whether they are fact or
3 expert witnesses, and a brief description of the testimony of each witness (except witnesses
4 who may be called for impeachment). The witnesses must be grouped as follows: (1)
5 witnesses who will be called at the hearing; (2) witnesses who may be called at the hearing;
6 and (3) witnesses who are unlikely to be called at the hearing. Additionally, the parties
7 must include the following text in this section of the joint pre-hearing statement: “Each
8 party understands that it is responsible for ensuring that the witnesses it wishes to call to
9 testify are subpoenaed. Each party further understands that any witness a party wishes to
10 call must be listed on that party’s list of witnesses; the party cannot rely on the witness
11 having been listed or subpoenaed by another party.”

12 **D. Exhibit List**

- 13 1. The following exhibits are admissible in evidence and may be marked in
14 evidence by the Courtroom Deputy Clerk:
- 15 a. Plaintiff’s Exhibits:
 - 16 b. Defendant’s Exhibits:
- 17 2. As to the following exhibits, the party against whom the exhibit is to be offered
18 objects to its admission and offers the objection stated below:
- 19 a. Plaintiff’s Exhibits: [*E.g.*, City Hospital records of plaintiff from March
20 1985. Defendant objects for a lack of foundation because . . .
 - 21 b. Defendant’s Exhibits: [*E.g.*, Payroll records of plaintiff’s employer that
22 show payment of plaintiff’s salary during hospitalization and recovery.
23 Plaintiff objects on grounds of relevance and materiality because]
- 24 3. The parties must email their exhibit lists in Word format, at least three days
25 before the hearing, to Lanham_chambers@azd.uscourts.gov.

26 **E. Depositions to be Offered**

27 Each party must list the depositions it intends to use during the hearing. The offering
28 party must provide the Court with a copy of the offered deposition. The offering party must

1 highlight, in color, the portions of the deposition to be offered. If multiple parties are
2 offering the same deposition, only one copy should be provided. This copy must contain
3 each party’s highlighting (each party must use a different color).

4 Any party objecting to the admission of any portion of a deposition shall provide its
5 objection next to the proposed testimony in the margins of the deposition. The objections
6 must be as specific as possible, identifying the Rule of Evidence, court order, or other basis
7 for the exclusion. Generic objections are not appropriate. The response to the objection is
8 to be placed under the specific objection, also in the margin, and following the same rules
9 as above.

10 The parties must include the following text in this section of pre-hearing statement:
11 “Each party hereby acknowledges that any deposition not listed as provided herein will be
12 disallowed, absent good cause.”

13 **F. Procedures for Expediting Hearing**

14 The parties must discuss and report on all available procedures that might be used
15 to expedite the hearing, including but not limited to (a) presenting stipulated summaries of
16 deposition testimony rather than reading deposition excerpts; (b) editing videotaped
17 depositions to limit the amount of time required for presentation; (c) using summary
18 exhibits in place of voluminous documentary evidence; (d) stipulations on authenticity and
19 foundation; and (e) using courtroom technology to expedite the presentation of evidence.
20 The parties are invited to send an email to Lanham_chambers@azd.uscourts.gov to arrange
21 a time to visit the courtroom and examine its technology before the hearing. Information
22 about courtroom technology can also be found at www.azd.uscourts.gov under Judges’
23 Information → Orders, Forms & Procedures → Standard Procedures Used by All Phoenix
24 Judges; Electronic/Video Courtroom Equipment Information – Phoenix.

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G. Estimated Length of Hearing

_____ hours for movant(s)' evidence, including cross-exam of non-movant(s)' witnesses
_____ hours for non-movant(s)' evidence (if any), including cross-exam of movant(s)' witnesses
_____ minutes per side for oral argument

H. Service

Plaintiff(s) shall provide defendant(s) with a copy of this order setting the hearing by _____ and shall file with the Court a notice indicating when and how notice was provided.

I. Failure to Respond

If the non-movant(s) does not respond to the Motion for Preliminary Injunction by _____ or fails to appear at the hearing, the Court will deem either failure to be consent to the motion being granted. Local Rule Civ. 7.2(i).