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

Party Name,

Plaintiff,

v.

Party Name,

Defendant.

No. CV-00-00000-PHX-DJH
**ORDER SETTING FINAL
PRETRIAL CONFERENCE**

Pursuant to Rule 16(e) of the Federal Rules of Civil Procedure, a Final Pretrial Conference shall be held on _____ in Courtroom 605, Sandra Day O'Connor United States Courthouse, 401 W. Washington St., Phoenix, Arizona, 85003-2151. In preparation for this Final Pretrial Conference, it is hereby Ordered:

1. The attorneys or *pro se* parties who will be responsible for the trial of the case shall attend the Final Pretrial Conference. Counsel shall bring their calendars so that trial scheduling can be discussed.
2. The parties shall jointly prepare a Joint Proposed Final Pretrial Order and shall file it with the Court no later than **4:00 p.m.** on _____. Preparation and filing of the Joint Proposed Final Pretrial Order in accordance with the requirements of this Order shall be deemed to satisfy the disclosure requirements of Rule 26(a)(3) of the Federal Rules of Civil Procedure. The parties shall submit a copy of the Joint Proposed Final Pretrial Order to the Court in WordPerfect® 9.0 or Word® format by email to humetewa_chambers@azd.uscourts.gov.

1 3. The Joint Proposed Final Pretrial Order shall include the information
2 prescribed in the Joint Proposed Final Pretrial Order form found at
3 www.azd.uscourts.gov under Judges' Information; Orders, Forms and Procedures; and
4 Diane J. Humetewa.

5 4. The Court will not allow the parties to offer any exhibit, witness, or other
6 evidence that was not disclosed in accordance with the provisions of this Order and the
7 Federal Rules of Civil Procedure and listed in the Joint Proposed Final Pretrial Order,
8 except to prevent manifest injustice.

9 5. The parties shall exchange drafts of the Joint Proposed Final Pretrial Order
10 no later than **14 days** before the submission deadline. The Plaintiff(s) shall have the
11 burden of initiating communications concerning the Joint Proposed Final Pretrial Order.

12 6. The parties shall (a) number and mark exhibits in accordance with the
13 instructions found in Exhibit Marking Instructions at www.azd.uscourts.gov under
14 Judges' Information; Orders, Forms and Procedures; and Standard Forms Used by All
15 Phoenix Judges (such numbers shall correspond to exhibits numbers listed in the Joint
16 Proposed Final Pretrial Order); (b) meet in person and exchange marked copies of all
17 exhibits to be used at trial no later than **14 days** before the submission deadline for the
18 Joint Proposed Final Pretrial Order (any exhibit not marked and exchanged at this
19 meeting shall be precluded at trial); and (c) eliminate any duplicate exhibits while
20 meeting to exchange exhibits.

21 7. The parties shall file and serve all motions in limine no later than _____.
22 Responses to motions in limine shall be filed on or before _____. Each motion in
23 limine shall include proposed language for the order in limine being sought from the
24 Court, and the proposed language shall state with precision the evidence that is subject to
25 the proposed order and the limitation or exclusion sought to be placed on the evidence.
26 The motions and responses must be concise and shall not exceed three (3) pages in
27 length. No opposed motion in limine will be considered or decided unless moving
28 counsel certifies therein that the movant has in good faith conferred or attempted to
confer with the opposing party or counsel in an effort to resolve disputed evidentiary

1 issues that are the subject of the motion. The moving party is not permitted to file a reply
2 in support of its motion in limine. Counsel shall be prepared to argue the merits of such
3 motions at the Final Pretrial Conference. LRCiv 7.2(1).

4 If a motion in limine does not conform in all substantial respects with the
5 requirements of this Order, or if the unrepresented party or counsel does not timely serve
6 and file the required response, or if the unrepresented party or counsel fails to appear at
7 the time and place assigned for oral argument, such non-compliance may be deemed a
8 consent to the denial or granting of the motion in limine, and the Court may dispose of
9 the motion summarily without further notice.

10 8. If this case will be tried to a jury, the parties shall complete the following
11 tasks by the time of the filing of the Joint Proposed Final Pretrial Order:

12 (a) The parties shall file a stipulated joint statement of the case to be
13 read to the jury.

14 (b) The parties shall jointly file a proposed set of voir dire questions.
15 The voir dire questions shall be drafted in a neutral manner. To the extent possible, the
16 parties shall stipulate to the proposed questions. If the parties have any disagreement
17 about a particular question, they shall state the reason for their objection below the
18 question. The parties shall also provide, for the purposes of voir dire, a joint master list
19 of the names of every witness who may be called at trial.

20 (c) The parties shall file proposed jury instructions in accordance with
21 Guidelines for Jury Instructions in Civil Cases found at www.azd.uscourts.gov under
22 Judges' Information; Orders, Forms and Procedures; and Diane J. Humetewa.

23 (d) Each party shall file a proposed form of verdict, including any
24 proposed special verdict forms or juror interrogatories.

25 (e) The joint statement of the case, proposed voir dire questions,
26 proposed jury instructions, and forms of verdict shall be submitted in WordPerfect® 9.0
27 or Word® format by email to humetewa_chambers@azd.uscourts.gov.

28 9. If the case will be tried to the Court, each party shall file proposed findings
of fact and conclusions of law with the Joint Proposed Final Pretrial Order. The proposed

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findings of fact and conclusions of law shall also be submitted in WordPerfect® 9.0 or Word® format by email to humetewa_chambers@azd.uscourts.gov.

10. The parties shall be prepared to advise the Court at the Final Pretrial Conference of the status of settlement discussions. Should settlement be reached at any time, the parties shall promptly file a Notice of Settlement with the Clerk of the Court.

11. Full and complete compliance with this Order shall be required by the Court.

Dated: _____

Diane J. Humetewa
United States District Judge