

## PRETRIAL ORDERS

Judge Jeffrey R. Finigan, Department 24

Superior Court of California, San Mateo County

All parties are ordered to comply with the following:

I. In addition to the meet and confer requirements of CCP §2016.040, per Local Rule 3.700, no party may move to compel discovery or file any other discovery motion until the parties have had an Informal Discovery Conference (IDC) with the Court. See Court's website for information regarding scheduling an IDC.

II. **One week before the pretrial conference**, which is generally set two weeks before trial, counsel shall serve and file:

a. Trial briefs (**10-page limit** without obtaining permission to exceed; briefs in violation will not be reviewed)

b. All in limine motions, including proposed orders for each with courtesy copies of the proposed orders emailed to the Court in Word

(The Court will rule on in limine motions on the first day of trial. A party wishing to obtain an earlier ruling for an in limine motion may file a request for an order shortening time to hear the motion on an earlier date.)

c. Witness lists, including brief (no more than a few sentences) summary and length of expected testimony

d. A statement of the case to be read to the jury panel before *voire dire*. The proposed statement shall also be emailed to the Court. All parties shall meet and confer and agree on the statement. If the parties cannot agree, they shall provide ONE copy to the Court with objectionable portions highlighted with accompanying information regarding which party objects to the highlighted language and on what basis(es). For example, portions plaintiff objects to shall be highlighted in yellow with an explanation in the margin stating reasons for the objection and portions defendant objects to shall be highlighted in blue with the same corresponding explanation.

e. Deposition designations are to be served only (not filed with the Court) and the parties shall meet and confer regarding any objections. Objections not resolved by the parties or at the pretrial conference shall be filed as instructed below.

- III. **At the pretrial conference** primary trial counsel and self-represented litigants must appear in person and be prepared to discuss:
- a. Estimated time of the trial
  - b. Scheduling issues for all witnesses and counsel (the Court generally will NOT allow witness testimony via Zoom absent exceptional circumstances, which should be raised at the pretrial conference)
  - c. Deposition designations
  - d. Stipulations
  - e. In limine motions
  - f. Jury selection
  - g. A/V and Zoom needs and protocols
- IV. **One week before trial** the parties shall do the following:
- a. File responses (with proposed orders) to in limine motions
  - b. File objections to deposition designations
  - c. Exchange pre-marked copies of all potential trial exhibits, including discovery responses (duplicate exhibits are to be removed prior to trial)
  - d. Exhibits shall be numerical starting at 001 and the parties must agree on blocks of numbers to fit the case (e.g. Plaintiff's exhibits are 001-100 and defendant's exhibits are 101-200)
  - e. File an exhibit list
  - f. Meet and confer as to proposed instructions and verdict forms
- V. On the **first day of trial**:
- a. Parties are instructed to try to use joint exhibit binders and shall bring four copies of each binder containing exhibits (one for the Court, one for the witness stand, and one for each side). If the parties cannot agree on joint exhibit binders, each side shall bring four copies of their binders.
  - b. The parties shall submit proposed instructions and verdict forms. The instructions shall comply with CRC Rule 2.1055.