

TRIAL PROCEDURES SUPPLEMENTAL TO LOCAL RULES

Honorable Richard M. Neiter
Courtroom #1645

1. **Trial Briefs**: Unless otherwise ordered by the Court, plaintiff's trial brief shall be filed and served at least thirty (30) days before the trial date, defendant's trial brief shall be filed and served at least twenty-one (21) days before the trial date and any reply brief by plaintiff (which is not required) shall be filed and served at least fourteen (14) days before the trial date.

Courtesy copies of the briefs must be delivered to chambers, Suite 1652, on the same date as the brief is filed. The parties are encouraged to include a brief statement of the pertinent facts in their briefs, with citation to exhibits or anticipated testimony.

2. **Direct Testimony**: Unless otherwise permitted by the Court, trials will be conducted through oral testimony.

3. **Exhibits**: All trial exhibits shall be numbered and marked as required by Local Rule 9013-2(b). **At least seven (7) days before trial, each counsel shall deliver to chambers the original and one copy of a notebook containing all trial exhibits (the "Exhibit Book")**. The original exhibits shall be tagged as required by Local Rule 9013-2(b). Counsel shall deliver to chambers an "exhibit register," on the form available from the Clerk's Office, at the same time as the Exhibit Book. Counsel shall exchange all exhibits on or before the date of the delivery to chambers. The Exhibit Books shall include all exhibits anticipated to be used at the trial, including all rebuttal exhibits. Exhibits to be used for impeachment only need not be included. At trial, counsel shall have sufficient conformed sets of exhibits for opposing counsel and for each party in the proceeding. Counsel shall also have sufficient copies of exhibits used for impeachment purposes or rebuttal for opposing counsel, the pertinent witness and, with respect to impeachment exhibits not included in the Exhibit Books delivered to chambers, the Court.

Any evidentiary objections to plaintiff's exhibits shall be filed and served at least twenty-one (21) days before the trial date. Any evidentiary objections to defendant's exhibits must be filed and served at least fourteen (14) days before the trial date.

Courtesy copies of evidentiary objections must be delivered to chambers, Suite 1652, on the same date the evidentiary objections are filed.

4. **Continuance/Postponement of Trial**: As a general rule, scheduled trials will not be continued prior to or at trial. Motions or Stipulations for continuance of trial must be submitted in writing at least two (2) court days prior to the scheduled trial date. The parties will be contacted by the judge's law clerk as to whether the continuance has been granted or denied.

5. **Settlement**: In the event of a settlement prior to trial, the parties shall immediately contact and advise the judge's law clerk.

6. **Service**: Service of briefs, declarations and evidentiary objections described herein shall be on counsel for the opposing party, or if the opposing party is appearing *pro se*, on the opposing party.