

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

PLAINTIFFS <<plaintiff name>>)	NO. CASE # <<case nbr>> <<designation>>
)	
vs)	ORDER ON PRE-TRIALCONFERENCE
)	(ORPTC)
DEFENDANTS <<defendant name>>)	
)	
)	
)	

Having held a pre-trial conference in the above cause, the Court hereby confirms a ____-day jury/non-jury trial, to commence on <<trial at 9:00 a.m.

A. SETTLEMENT/MEDIATION/ADR REQUIREMENT PURSUANT TO ORDER ON JUDICIAL ASSIGNMENT:

- ☐ Has been accomplished
☐ Must be accomplished no later than _____

B. PRETRIAL DISCLOSURES:

1. EXHIBITS

<<date of EVDATE6>>

<<date of EVDATE14>>

Counsel and/or pro se parties shall prepare and exchange a list of exhibits as required pursuant to LCR 4(j) 21 days before trial.

All exhibits (excluding illustrative exhibits) shall be made available for inspection by the opposing counsel and/or pro se parties 14 calendar days before trial.

2. WITNESSES

<<date of EVDATE6>>

Witnesses who have been disclosed pursuant to LCR 26, and whom counsel and/or pro se parties intend to call at trial, shall be disclosed as by LCR 4(j) 21 calendar days before trial.

All witnesses to be called at trial shall be listed in the Joint Statement of

Evidence, as required by LCR 4(k). Failure to adhere to the case schedule or to disclose witnesses, as provided for in LCR 26 and LCR 4, shall result in the exclusion of the witnesses' testimony at the time of trial, or such other sanctions as the court deems appropriate.

C. DOCUMENTS TO BE FILED WITH THE COURT:

1. JOINT STATEMENT OF EVIDENCE

<<date of EVDATE8>>

[LCR 4(k)]. The Joint Statement of Evidence shall be filed with the court, with courtesy copies delivered to the assigned Judge **5 court** days before trial. Counsel for the parties and/or pro se parties shall confer at least 10 calendar days before trial to prepare the Joint Statement of Evidence.

The Statement shall include a list of all proposed exhibits, numbered sequentially beginning with 1. Adjacent to the list of exhibits shall be a table with four columns headed as follows: "Party(ies) Offering Exhibit", "No Objection", "Authenticity Admitted but Objectionable", and "Otherwise Objectionable". The legal basis of the objection shall be identified. The appropriate column shall be completed for each exhibit.

No document shall be listed more than once as an exhibit; an exhibit on the Joint Statement may be offered by any party. The Joint Statement of Evidence shall conform to the requirement of LCR 4(k). Counsel may include any additional stipulations which have been agreed

2. EXHIBITS AND OTHER EVIDENCE

- ☐ NO OTHER REQUIREMENTS
☐ FOLLOW THE REQUIREMENTS BELOW

(A) EXHIBITS:

1. NUMBERING

Each exhibit shall be numbered with a tab. It shall be listed in the Joint Statement of Evidence only once. Once an exhibit is numbered, it can be introduced by either party but will

continue to be designated by the number given it in the Joint Statement of Evidence.

**2. TRIAL
NOTEBOOKS**

Counsel are to prepare for the clerk, the judge and for counsel, three-ring notebooks which contain the exhibits listed in the Joint Statement of Evidence. Each exhibit should be placed behind a numbered tab corresponding with the number designated in the Joint Statement of Evidence.

3. PRE-MARKING OF EXHIBITS BY CLERK

- ☐ The parties shall arrange with the clerk to have exhibits marked in advance of trial.
- ☐ Exhibits need not be pre-marked.

4. OBJECTIONS

If a party has a legal objection to a proposed exhibit, the legal basis must be included in the Joint Statement.

(B) USE OF DISCOVERY/DEPOSITIONS AT TRIAL:

If depositions (including video depositions), designations, interrogatories, requests for admissions, or other discovery responses are to be used at trial as substantive evidence in lieu of live testimony, the proponent shall provide a list of the excerpts to be offered to the opposing party. Such excerpts shall be included with the exhibits, and any counter-designations and any objections thereto shall be provided to the court and opposing counsel no later than:

- ☐ the CR 16 conference; or
- ☐ **5 court days** prior to the trial date.

If the court is to make any evidentiary rulings, counsel shall provide the court with a transcript of any video depositions intended to be offered at trial.

3. MOTIONS IN LIMINE

All motions *in limine* shall be filed with the court, with courtesy copies delivered to the assigned Judge and served on opposing counsel, no later than:

- ☐ 12:00 noon 5 court days prior to the trial date; or
☐ at the CR 16 conference

Ruling on motions *in limine* shall be made on the day of trial, or on _____, 2005 at _____, without oral argument, unless requested by the court.

4. TRIAL BRIEFS

Trial briefs shall be filed, with courtesy copies delivered to the assigned Judge and served on opposing counsel and/or pro se parties, no later than 5 court days before the trial. LCR 4(m).

5. JURY INSTRUCTIONS

<<date of EVDATE9>>

- (A) Counsel and/or pro se parties shall exchange each party's proposed set of jury instructions, with verdict form, 5 court days before trial. The parties shall confer and agree on instructions to the extent reasonably possible. Only one set shall be submitted for agreed instructions. LCR 4(m).
- (B) Counsel and/or pro se parties shall submit the jury instructions to the court no later than 5 court days before the date of trial. One cited original set of jury instructions is to be filed with the clerk, and _____ uncited original(s) and _____ cited copy/copies are to be delivered to the bailiff. The submission of a list of WPI numbers in lieu of the full text of a proposed jury instruction IS NOT acceptable.
- (C) ☐ Court's sets of instructions shall be submitted on compact disc (CD) in MS Word.

6. VOIR DIRE

Counsel shall submit all general voir dire questions to be asked by the court and a short neutral statement of the case 5 court days preceding the trial date.

7. PROPOSED FINDINGS OF FACT and CONCLUSIONS OF LAW (non-jury cases only):

- ☐ 5 court days before trial, each party shall serve and deliver to the assigned judge proposed findings of fact and conclusions of law. LCR 4(m).
- ☐ A 3½-inch computer disk submission in MS Word is also required.
- ☐ Proposed findings of fact and conclusions of law need not be submitted in advance of trial.

C. OTHER REQUIREMENTS:

1. CR 16 CONFERENCE

There shall be a CR 16 conference in this matter, which is hereby set for ____, 2005 at ____ a.m./p.m. Counsel ____ and/or pro se parties should be prepared to address the following:

- ☐ Counsel shall appear in person
☐ Counsel shall appear by telephone

2. TRIAL WEEK CONFLICTS:

3. OTHER REQUIREMENTS SPECIAL TO THIS CASE (equipment, special needs accommodations, etc.):

C. NOTICE:

NONCOMPLIANCE WITH THE TERMS OF THE ABOVE ORDER MAY RESULT IN THE EXCLUSION OF EVIDENCE, TO BE CONSIDERED AN ABANDONMENT OF CLAIMS OR THE FAILURE TO PROSECUTE OR DEFEND DILIGENTLY. NONCOMPLIANCE MAY RESULT IN THE ENTRY OF A JUDGMENT AGAINST THE NONCOMPLYING/DEFAULTING PARTY, WITH RESPECT TO EITHER A SPECIFIC ISSUE OR THE ENTIRE CASE. THE COURT MAY IMPOSE SUCH ADDITIONAL SANCTIONS, INCLUDING THE AWARD OF TERMS AND/OR ATTORNEY FEES, AS IT DEEMS APPROPRIATE.

DATED THIS _____ DAY OF _____, 200__.

JUDGE <<judge>>

Attorney for Plaintiff/Petitioner ☐ Per phone conference

Attorney for Plaintiff/Petitioner ☐ Per phone conference

Attorney for Defendant/Respondent ☐ Per phone conference

Attorney for Defendant/Respondent ☐ Per phone conference