

## SUPPLEMENTAL PRE-TRIAL ORDER

In addition to any other orders entered, and the applicable rules, this Pre-Trial Order governs those aspects of the trial of the above-entitled action expressly covered by this Order. The parties and their counsel are requested and required to comply as follows:

### Pre-Trial Judicial Settlement Conference.

- a. Before trial, the parties are to schedule and hold with Judge Robert J. Dale a judicial settlement conference at which the parties and their counsel are to be present.
- b. Petitioner shall be responsible for initiating the conference scheduling.
- c. The parties and their counsel are required to cooperate and participate in the conference in good faith.
- d. Arrangements for the conference should be made directly through Judge Dale's clerk, Glenda (801-444-4320).
- e. The parties are to immediately notify Judge Hamilton's clerk, Pam (801-444-4310), in the event a settlement is reached any time before trial.

### 2. Trial Memoranda.

- a. At least three (3) business days before trial all parties are to file and serve a succinct trial memorandum, providing a courtesy copy to the Judge at the Layton courthouse (425 N. Wasatch, Layton, Utah 84041).
- b. Trial memoranda are to simply and specifically set forth the submitting party's proposal for

the resolution of each issue to be tried, together with a citation to and a brief discussion of all law relied upon.

3. Trial Schedule.

- a. The parties and their counsel are to be in the courtroom ready to start the trial promptly at 9:00a.m. each day.
- b. Trial will also resume promptly each day at 1:30 p.m. after the noon lunch break, concluding for the day at or near 5:00p.m.

4. Exhibits:

- a. Prior to trial, the parties or their counsel are to in good faith confer regarding all proposed exhibits in an effort to stipulate to their authenticity and admissibility whenever possible.
- b. For proposed exhibits which more than one party intends to *offer*, those parties or their counsel are also to determine between them which ones will be in which party's exhibit binder, so as to avoid duplication.
- c. All proposed exhibits are to be individually pre-marked by the respective parties themselves prior to the start of trial, as *1, 2, etc.*, for each of the parties.
- d. For the witness stand, the original marked and proposed exhibits are to be inserted into separate indexed three ring binders labeled on the outside as the respective party's exhibits, with protruding, numbered tabs for each exhibit corresponding to its pre-marked number.
- e. In each exhibit binder index, to the side of each listed, proposed exhibit, the parties are to respectively check labeled boxes as to whether there is a stipulation regarding authenticity, and as to whether there is a stipulation regarding admissibility.
- f Duplicates of each of the parties' completed exhibit binders are to be served upon the other

party(ies) at least three (3) business days before trial.

g. Duplicate labeled, tabbed, and indexed three ring exhibit binders are to be provided to the

Court at the start of trial.

h. Additional copies of just the indices to all parties' exhibit binders are to be handed by the parties to the clerk, for the clerk's *use*, before the trial's scheduled start.

L At the beginning of the first day of trial the parties are to stipulate on the record as to the exhibits for which any stipulation has been reached, with simple reference to the respective indices in the exhibit binders containing that information.

Dated this\*\* Day of\*\*\*, 20\*\*

David R Hamilton, District Court Judge