

**United States District Court
Northern District of Indiana
Hammond Division**

_____,

Plaintiff,

v.

Civil Action No.: _____

_____,

Defendant(s).

**SCHEDULING ORDER
and
ORDER FOR TRIAL**

A. Schedule

(1) Dispositive Motions

The Court sets _____ as the deadline for dispositive motions. Any Response must be filed by _____, and any Reply is due by _____.

(2) Trial and Final Pretrial Conference

This case is scheduled for a _____-day Jury trial to begin on _____, at _____ Central Time, in the Hammond Division.

Judge Van Bokkelen will conduct a telephonic Final Pretrial Conference pursuant to Federal Rule of Civil Procedure 16 on _____, at _____. The Court will initiate the call.

(3) ***Settlement Conference before Magistrate Judge***

No later than 7 days before the Final Pretrial Conference, the parties must participate in a settlement conference before Magistrate Judge_____. The parties are responsible to contact Judge_____’s chambers to schedule the settlement conference. Judge _____ is specially designated for this purpose in accordance with the Federal Magistrate Act, as amended, 28 U.S.C. § 636(b)(3), and Local Rule 72-1.

A. Dispositive Motions

Because the deadline for filing dispositive motions is established in conjunction with the trial date, the Court will not modify or extend it without good cause.

This District’s Local Rule 7-1(e) limits the length of briefs. Relief from this rule will not be granted unless the request for relief identifies the anticipated length of the brief. If the materials accompanying a party’s brief consist of more than 25 exhibits or 400 pages, that party must submit complimentary paper copies of that brief and exhibits directly to the Court.

If a hearing is scheduled on the motion, expect the judge to be familiar with the case and the briefs.

Final Pretrial Conference and Trial

(1) ***Exchange of Information***

At least 21 days before the Final Pretrial Conference, parties are to exchange written final lists of their contentions, witnesses, stipulations, and other information required for inclusion in

the Pretrial Order, consistent with Appendix A to Local Rules for the Northern District of Indiana.

Expert witnesses shall be disclosed in accordance with Federal Rule of Civil Procedure 26(a)(2).

Unless a deadline was previously established in the Report of the Parties' Planning Meeting and approved by the Court, any evidentiary objections to another party's expert witness, whether directed to the witness's qualifications or to the foundation for the anticipated testimony, must be filed at least 14 days before the final pretrial conference. Failure to file such objections will be deemed a waiver of any objection to opinion testimony outlined in the statement filed by the witness's proponent.

(2) ***Pretrial Order***

A proposed Pretrial Order, in the form recommended by Appendix A of the Local Rules and signed by the parties, is to be filed 5 business days before the final pretrial conference. The proposed Pretrial Order is to be prepared by defense counsel, unless otherwise directed by the Court. In addition to being filed, the proposed pretrial order should also be emailed to van_bokkelen_chambers@innd.uscourts.gov in WordPerfect or Word format.

(3) ***Motions in Limine***

Motions in limine must be filed at least 5 business days before the final pretrial conference. A party may raise as many issues in a motion in limine as the case makes

appropriate, but only one motion can be filed. Oral motions in limine will be allowed only for good cause shown. Motions should identify the evidence at issue with specificity.

Any objections to a motion in limine must be filed by the time of the final pretrial conference.

(1) ***Trial Briefs***

The Court requires trial briefs, which must be filed at least 5 business days before trial.

A trial brief must identify the issues to be tried and address the elements of the claim(s) involved in the action, evidentiary questions, and any other legal issues reasonably anticipated to arise at trial. Trial briefs should include the anticipated testimony of each witness expected to be called as this will aid the Court in trial preparation. Trial briefs should not exceed 15 pages.

(2) ***Jury Instructions and Verdict Forms***

At least 5 business days before trial, the parties must file proposed jury instructions and verdict forms upon which they agree and any instructions and verdict forms upon which they disagree. All proposed instructions must be supported by legal authority. Preliminary jury instructions are not required. In addition to being filed, the proposed jury notes should also be emailed to van_bokkelen_chambers@innd.uscourts.gov in WordPerfect or Word format.

If additional jury instructions or verdict forms become necessary due to the development of unanticipated issues, trial counsel shall so inform the Court and opposing side as early as possible.

(1) ***Voir Dire Questions***

Agreed voir dire questions must be filed at least 5 business days before trial. At that time, the parties may also submit voir dire questions upon which they disagree. A list of the witnesses that the parties intend to call, with addresses for the Court to read to the venire, must also be filed at least 5 business days before trial. Voir dire questions and witness lists should also be emailed to van_bokkelen_chambers@innd.uscourts.gov in WordPerfect or Word format.

The Court will conduct the voir dire.

(2) ***Exhibits***

(a) ***Disclosure to Opposing Counsel***

At least 21 days before the final pretrial conference, the parties must exchange copies of all exhibits that may be introduced in evidence at the trial, including any deposition exhibits that may be offered at trial. Any exhibits not disclosed at that time may not be used at the trial except for impeachment or refreshing recollection. Relief from this prohibition will be afforded only if the need for the exhibit could not reasonably have been foreseen by the time fixed for its production; even then, the exhibit must be disclosed to other parties and the Court as soon as the need for the exhibit is known. This requirement is in addition to the disclosure requirements of Federal Rule of Civil Procedure 26(a)(3).

(b) ***Objections to Exhibits***

Any objections to exhibits must be made within 11 days after they are disclosed. Written objections must be supported with appropriate memoranda citing points and authorities.

(a) *Exhibits at Trial*

Copies of all exhibits that may be introduced in evidence must be assembled into binders, marked by number or letter (plaintiff's exhibits should be marked by numbers, and defendant's exhibits by letters), and set apart by dividers within the binder. Two such binders are needed at trial: one for the court and one for opposing counsel. The parties must provide the Court's binders before the trial starts.

At the beginning of the trial, the parties should submit a list of their exhibits to the courtroom deputy clerk. The courtroom deputy clerk does not need a binder of exhibits.

(2) *Depositions*

Federal Rule of Civil Procedure 26(a)(3)(B) and Northern District of Indiana Local Rule 26-2 govern any in-trial use of depositions other than for impeachment. The parties must provide the Court with a copy of any deposition used at trial before such deposition is used.

(3) *Preliminary Statement Identifying Case*

At least 5 business days before trial, the parties must file a joint concise statement describing the case in an impartial, easily understood manner, which will be read to the jury panel before voir dire. The statement should also be emailed to van_bokkelen_chambers@innd.uscourts.gov in WordPerfect or Word format.

(4) *Jury Questionnaires*

Jury Questionnaires will be available for review of counsel at the Clerk's office on Friday before trial after 12 noon. Copies of the jury questionnaires will also be available to counsel during the jury selection on the first day of trial. The jury questionnaires will be retrieved from the counsel by the courtroom deputy clerk after jury selection has been completed.

(5) ***Courtroom Technology***

For questions and assistance with courtroom technology, as well as to schedule a time to familiarize with the courtroom and to practice using any of the courtroom technology, contact Courtroom Deputy Irma Rivera at 219-852-6744 .

(6) ***Miscellaneous***

Any questions regarding jury selection or trial procedures can be raised with the Court at the Final Pretrial Conference. Counsel are encouraged to visit the Court's website at <http://www.innd.uscourts.gov/van%20bokkelen.shtml>. Counsel may also call the chambers at 219-852-6720 if any questions remain unanswered.