

PRETRIAL PROCEDURES FOR CRIMINAL CASES BEFORE JUDGE HUNT

Unless otherwise ordered, the following procedures will govern pretrial proceedings in criminal cases before Judge Hunt.

I. Schedule

The following is a typical pretrial filing schedule. Once set, trial dates are **firm** and will generally be continued absent extraordinary and unanticipated circumstances set forth in a timely-filed and properly-noticed motion.

Event	Date
Motions <i>in Limine</i>	4 Weeks Before Trial
Responses to Motions <i>in Limine</i>	3 Weeks Before Trial
Final Pretrial Order	2 Weeks Before Trial
Final Pretrial Conference	1 Week Before Trial

II. Motions in Limine

The parties are directed to meet and confer on all motions *in limine* before filing them. As explained below, unopposed motions *in limine* should be briefly described in the final pretrial order.

All opposed motions *in limine* must be filed according to the schedule set by the Court. Parties filing multiple motions *in limine* should submit their initial motions and the supporting exhibits in one document for the Court. Responses to motions *in limine* should also be submitted in one document.

Absent prior leave of Court, motions *in limine* (not including exhibits) are limited to a total of 20 pages per side (not per motion) and responses (not including exhibits) are likewise limited to a total of 20 pages per side. No replies are to be filed unless ordered by the Court.

III. Final Pretrial Order

In all criminal trials before Judge Hunt, the parties shall jointly prepare and file a final pretrial order containing the following:

1. *Trial Attorneys.* List all attorneys trying the case, as well as contact information (business address, telephone number, and e-mail address).
2. *Case Statement.* Provide a concise joint statement of the case, which the Court will read to the jury pool during *voir dire*. After reading the case statement, Judge Hunt may also read the third paragraph of Pattern Instruction 1.02: “The indictment is simply the formal way of telling the defendant what crimes he is accused of committing. It is not evidence that the defendant is guilty. It does not even raise a suspicion of guilt.”

3. *Trial Length.* State the estimated number of trial days, including jury selection and deliberation, premised on six-hour trial-testimony days (the six hours already accounts for lunch and breaks). Be prepared to provide estimated sub-totals for the government's case and the defense case (if any is anticipated) and to propose time limits for opening statements and closing arguments at the final pretrial conference. A typical trial day will begin around 9:00 a.m. and end around 4:30 p.m. with about an hour for a lunch break. Trial counsel must be present by 8:45 a.m. to discuss any preliminary matters. The Court will provide as much advance notice as possible of any changes to this schedule.

4. *Stipulations and Uncontested Facts.* In numbered paragraphs, set forth any stipulations and uncontested facts.

5. *Witness Lists.* Each party shall provide a list of witnesses, including expert witnesses, divided into (a) witnesses who will be called at trial; (b) witnesses who may be called to testify at trial; and (c) witnesses whose testimony will be presented by deposition or other prior testimony (indicating whether the presentation will be by reading a transcript or playing a video and including a brief summary of the legal and/or factual basis for presenting the testimony in that manner, as opposed to in-person). For each witness, provide a concise (2 or 3 sentences) description of the witness and the witness' role in the case. The names of witnesses on the lists will be read to the jury during jury selection to ensure that potential jurors do not personally know any witnesses.

6. *Exhibit Lists.* The parties must submit exhibit charts, one for the Government's exhibits and another for defendant's exhibits, which states the following: (a) the exhibit number; (b) the date of the document or exhibit; (c) a brief, neutral description of the exhibit; (d) a concise statement of the exhibit's relevance; (e) whether there is an objection to admission of the exhibit, and if so, a concise statement of the basis for the objection; and (f) a concise response to the objection, if any. The chart's format shall be substantially similar to the example below (landscape orientation is encouraged).

No.	Date	Description	Relevance	Objection	Response
PX1/DX1	02/15/06	2005 Performance Review	Proves record of satisfactory job performance	R. 402 relevance; R. 403 confusion. Plaintiff fired in 2011.	Past performance is relevant to affirmative defense and will not lead to confusion.

Any substantive exhibit not objected to shall be deemed admissible into evidence by operation of the Final Pretrial Order without any need for foundation testimony unless the exhibit is not referred to during trial testimony or otherwise published to the jury.

During the trial, for clarity for the jury and the record, the offering party must still move to admit the exhibit into evidence before publishing it to the jury. The Court will ask whether there is any "further" objection so that any pretrial objection is preserved.

Note: There is no need to list every conceivable exhibit that can possibly be used. The parties should submit a list of trial exhibits they definitely intend to introduce. If, due to unforeseen circumstances during trial a party wishes to introduce an exhibit not previously listed, notice should be given as soon as possible to the opposing side and to the Court so that any objections can be discussed. Absent abuse of this process, an exhibit will not be deemed inadmissible simply because it was not included on the original exhibit list, provided the exhibit/document was earlier produced to the opposing side during discovery.

Within one business day of filing the final pretrial order, the parties must submit to chambers one exhibit binder containing copies of all objected-to *substantive* exhibits. In addition, the parties must use the link that will be provided by the Court to upload all proposed exhibits (whether objected to or not). Exhibits that will be used only for impeachment purposes or to refresh memories need not be included.

After the final pretrial conference and rulings on exhibits, no later than business days before trial, the parties must submit two sets of exhibit binders containing the final, pre-marked exhibits along with exhibit lists. In addition, the parties must upload any exhibits not previously uploaded to the link provided by chambers.

All paper exhibits should be printed double-sided and placed in three ring binders with appropriate cover sheets, exhibits lists, and number tabs. All exhibits should be numbered (e.g., PX1, DX1, etc.) All electronic exhibits should be saved in standard file formats, named consistent with the exhibit number and brief description (e.g., PX1 Contract.pdf) and be saved “read-only” and/or locked for editing. Any exhibit in .pdf format should undergo Optical Character Recognition (OCR) and be text-searchable. If the parties anticipate a voluminous number of final trial exhibits, they should contact my courtroom deputy before submitting them. The Court wants to avoid the needless copying of hundreds or thousands of documents in multiple boxes where electronic media may suffice.

IMPORTANT NOTE ON PRESENTING EXHIBITS DURING TRIAL

Judge Hunt’s courtroom (1460) has evidence presentation equipment allowing exhibits (including video and audio files) to be projected and displayed to witnesses, the Court, counsel, and the jury. The jurors have individual screens in the juror box. The Court expects trial counsel to use this system. As early as possible prior to trial (not less than three weeks), counsel must contact Alexander Zeier, the Courtroom Technology Administrator, to schedule a training session. Mr. Zeier can be reached at (312) 435-6045.

After the close of evidence, the parties will be expected to meet and confer and jointly provide the Court with exhibit binders and a USB storage device containing all admitted exhibits. The parties will be required to certify on the record that they have reviewed and agree that the binders and USB storage device contain the admitted exhibits. The jury will have access to electronic copies of the exhibits through a “blank” laptop (no internet connection or unnecessary applications) connected to a large external screen/monitor.

7. *Motions in Limine.* As noted above, motions *in limine* will be filed separately. Each party must provide a list that very briefly summarizes its motions *in limine* and indicates

whether they are opposed. For example: Defendant's Motion *in Limine* No.1 to Bar Reference to Witness A's Drug Use (Unopposed); Defendant's Motion *in Limine* No. 2 to Bar Witness B From Trial (Opposed), etc.

8. *Voir Dire Questions and Jury Questionnaire.* To the extent possible, the Court prefers that most questions asked of potential jurors be included in a written questionnaire (of no more than 3 pages) as it encourages reflection and candor. Judge Hunt will always ask routine biographical questions (a typical list is available on her website). Any additional questions sought by the parties must be listed in the final pretrial order, divided into (a) agreed-upon questions and (b) proposed questions to which one party objects. A short basis for any objection should accompany the list. Each side is limited to 12 proposed disputed questions, unless a motion is filed before the pretrial conference that explains good cause for proposing more than the limit.

9. *Jury Instructions/Verdict Forms.* The parties are instructed to meet and attempt to agree on jury instructions and a verdict form. The Court uses the Seventh Circuit's Pattern Instructions, bearing in mind that statutory and binding case law govern over the pattern instructions. If the parties wish to modify an applicable Seventh Circuit Pattern Instruction, the party proposing the modification must submit a comparison document to the Court showing the modification to the pattern instruction. The parties should concentrate their efforts on the substantive jury instructions related to the merits.

The parties must submit all agreed and proposed jury instructions with the final pretrial order. Each proposed instruction must indicate the proponent of the instruction and whether the instruction is agreed or disputed. The bottom of each instruction must identify the supporting legal authority. If an instruction is disputed, the grounds for the objection (and any proposed modification or alternate instruction) must be concisely stated on the same page immediately following the disputed instruction. The party proposing the instruction may then state concisely the reasons supporting the instruction as proposed. The same instructions apply to proposed verdict forms.

10. *Submission and Filing.* The Final Pretrial Order must be e-mailed to Proposed_Order_Hunt@ilnd.uscourts.gov in a format compatible with Microsoft Word, with two courtesy copies (in three-ring binders and tabs) delivered to my courtroom deputy's office (Room 1428) within one business day after filing. The Final Pretrial Order must also be filed on the docket by selecting "Other Filings" and then "Other Documents" and choosing the Proposed Pretrial Order event in CM/ECF.

IV. Final Pretrial Conference

The purpose of the final pretrial conference will be to avoid surprises and to simplify trial. At the conference, Judge Hunt will address any pending motions *in limine*, objections to witnesses and exhibits, and contested jury instructions, and will discuss trial procedures and scheduling matters. Lead trial counsel fully prepared and with authority to discuss all aspects of the case must attend.

The Court will endeavor to cover all pretrial matters in a single hearing but will continue the conference as necessary depending on the amount and complexity of pretrial matters.

Dated: February 10, 2025

ENTERED:

A handwritten signature in black ink that reads "LaShonda A. Hunt". The signature is written in a cursive, flowing style.

LASHONDA A. HUNT
United States District Judge