



**JUDGE MARY M. ROWLAND**  
219 South Dearborn Street  
Chicago, IL 60604

**Courtroom: 1225**

**Courtroom Deputy: Dawn Moreno (Rm. 1226)**  
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**FINAL PRETRIAL ORDER FOR CIVIL CASES  
BEFORE JUDGE ROWLAND**

The parties are required to submit certain materials in advance of the final pretrial conference and the trial. Parties should closely review and comply with this Standing Order. To the extent these guidelines differ from those contained in Local Rule 16.1, parties should defer to Judge Rowland's requirements.

**I. SCHEDULE**

In each case, the Court will set specific dates, however, generally the schedule prior to the trial date will proceed as follows: (a) motions *in limine* and Daubert motions due 4 weeks prior to trial; (b) responses to motions *in limine* and Daubert motions due 3 weeks prior to trial; (c) pretrial order, proposed *voir dire*, and proposed jury instructions due 3 weeks prior to trial; and (d) the final pretrial conference will be held 2 weeks prior to trial. Deadlines may be varied only by the Court.

**II. JOINT PROPOSED FINAL PRETRIAL ORDER**

The parties shall jointly prepare and submit a final pretrial order containing the following:

1. **Jurisdiction.** A statement of the basis alleged for the Court's jurisdiction and, if jurisdiction is disputed, the nature and basis of the dispute.

2. **Case Statement.** A concise joint statement of the case, which includes the names of the parties and the attorneys who will be representing them at trial; the nature of the case; the claims, counterclaims and cross-claims; and the defenses raised to those claims. In a jury trial, this statement will be read by the Court to the jury during *voir dire*.
3. **Relief Sought.** An itemization of damages and other relief sought.
4. **Trial Attorneys.** A list of the attorneys trying the case, including business addresses and telephone numbers.
5. **Estimate of Trial Time.** A statement of whether the case will be a bench trial or jury trial, and a realistic estimate of the length of the trial. In a jury trial, the parties should specify the number of jurors the parties recommend be selected (subject to Rule 48(a)).
6. **Stipulations.** In numbered paragraphs, set forth any stipulations and uncontested facts, as well as any stipulations regarding the presentation or admissibility of evidence.
7. **Witness Lists.** Separate lists for plaintiff and defendant providing the names and addresses of witnesses, including experts, divided into the following three categories: (a) witnesses who ***will*** be called to testify 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 transcript or video). In a jury trial, these lists will be read to the jury during *voir dire*. ***All expert witnesses who will or may be called must be included on the witness list.*** All objections to the calling of any witnesses, and the reasons for the objections, must be stated in the pretrial order. For witnesses who will be presented by deposition or other prior testimony, the pretrial order must include the following information for each such witness: (a) the testimony that each side seeks to present, by page and line; (b) a concise statement of objections to any testimony and the basis for the objections; and (c) a concise statement of the asserted basis of admissibility. Any witness not listed in the pretrial order will be precluded from testifying absent a showing of good cause, except that each party reserves the right to call such rebuttal witnesses (who are not presently identifiable as rebuttal witnesses) as may be necessary.
8. **Exhibit Lists.** Lists of the trial exhibits (including demonstratives, summaries or other specially prepared exhibits), which are to be prepared in the following manner: A list of any joint exhibits, which states: (a) the exhibit number for the document (preceded by “JX”); (b) the date of the document; and (c) a brief description of the document. Separate lists of plaintiff’s and defendant’s exhibits, which each state: (a) the exhibit number of the document (preceded by “PX” for plaintiff’s exhibits and “DX” for defendant’s exhibits); (b) the date of the document; (c) a brief description of the document; (d) whether there is an objection to

admission of the document and, if so, a concise statement of the basis for the objection (e.g., Rule 402 - relevance; Rule 403 - undue prejudice or confusion); and (e) a concise statement of the asserted basis of admissibility.

- a. At least one week before the pretrial conference, the parties must submit an exhibit binder containing copies of the objected-to exhibits. After the pretrial conference and rulings on exhibits, parties must submit to the Court on two thumb drives the final, pre-marked exhibits along with exhibit lists.
- b. 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.

**9. List of motions in limine:** each party must provide a list summarizing its motions in limine.

**10. Proposed Findings and Conclusions.** In a bench trial, proposed findings of fact and conclusions of law. The parties shall confer about and submit any agreed proposed findings of fact and conclusions of law. Each party also shall submit its separate proposed findings of fact and conclusions of law.

**11. Settlement discussions:** parties should report whether any recent settlement discussions have occurred and the prospect of settlement before trial begins.

**Instructions for Compiling and Submitting the Pretrial Order:** Plaintiff's counsel must prepare the initial draft of the pretrial order and provide a draft to defendant's counsel by no later than twenty-one (21) calendar days before the date the pretrial order is due to be filed. Defendant's counsel must respond in writing to the draft by no later than fourteen (14) calendar days before the pretrial order is due. The parties are required to meet and confer to discuss their respective drafts, and should attempt to reach agreement to the maximum extent possible. It is then the responsibility of the plaintiff's counsel – with full cooperation from defendant's counsel – to assemble the pretrial order and file it.

The Proposed Pretrial Order must be e-mailed in Word format to:

Proposed\_Order\_Rowland@ilnd.uscourts.gov. The Proposed Pretrial Order must also be filed on the docket with a cover page with the case caption and the title "Proposed Pretrial Order." In CM/ECF, the filer should select "Other Filings" and then "Other Documents," and choosing the Proposed Pretrial Order event.

### III. MOTIONS *IN LIMINE*

The parties shall meet and confer on all motions *in limine* before filing them. Motions *in limine* and supporting memoranda must be filed separately from the pretrial order as separate docket entries. To the extent reasonable, parties should file multiple motions in one filing (or a few consolidated filings) to reduce the number of filings. Unless otherwise ordered, responses are due one week after the motion's filing, and no replies may be filed without leave of court.

Judge Rowland discourages the filing of "boilerplate" motions *in limine* or motions that address matters not in dispute. Any motion *in limine* filed by a party must be accompanied by a statement that the party has conferred with the opposing party and has determined that the matter upon which a ruling is sought is actually in dispute – that is, that the opposing party actually intends to offer the evidence that the movant seeks to exclude. If the meet-and-confer process results in agreement that certain matters are inadmissible, that agreement should be memorialized in a stipulation to be provided in the pretrial order or at the final pretrial conference.

### IV. PROPOSED *VOIR DIRE* AND JURY INSTRUCTIONS

In a jury trial, proposed *voir dire* questions and jury instructions are not to be included in the Proposed Pretrial Order, but are to be separately filed. The proposed *voir dire* and jury instructions are to be prepared and submitted according to the following schedule, which may be varied only by Court order:

***Proposed Voir Dire.*** The Court's standard *voir dire* questions can be obtained from the Judge's courtroom deputy. The parties must exchange any proposed variations or additions to these general *voir dire* questions and must meet and confer to attempt to resolve any disagreements about the questions. The parties must file a joint document that includes both (a) each party's proposed *voir dire* questions, and (b) each party's objections, if any, to the *voir dire* questions proposed by other parties.

***Jury Instructions and Verdict Forms.*** The parties must meet and confer in order to attempt to agree on jury instructions and the verdict forms. The parties should compile and set forth the complete text of all proposed instructions and identify: the proponent of the instruction, the Seventh Circuit Pattern Instruction if applicable, the legal authority for the instruction, and whether there is an objection to the instruction. If an instruction is disputed, the proponent of the instruction should concisely explain the basis for the instruction, if more explanation is required beyond the identified legal authority. Moreover, if an instruction is disputed, the objecting party must concisely state the grounds for the objection, as well as any proposed modification or alternative. The same principles apply to proposed verdict forms.

Joint documents of proposed *voir dire*, jury instructions and verdict forms must be filed on the docket and also submitted in Word format to Judge Rowland's proposed order mailbox (Proposed\_Order\_Rowland@ilnd.uscourts.gov).

## V. FINAL PRETRIAL CONFERENCE

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

## VI. TRIAL BRIEFS, EVIDENCE PRESENTATION, AND EXHIBITS

Trial briefs may be required in bench trials. In a jury trial, the Court will not accept trial briefs without leave of Court.

At least three weeks prior to trial, the parties shall contact the Court's systems department (312-435-6045) to coordinate any specific evidence presentation needs.

Finally, parties should familiarize themselves with the Court's Jury Evidence Recording System (JERS) protocol. Attorney Instructions are available here: [https://www.ilnd.uscourts.gov/assets/documents/forms/courtroomtech/JERS Attorney Instructions.pdf](https://www.ilnd.uscourts.gov/assets/documents/forms/courtroomtech/JERS_Attorney_Instructions.pdf). In addition, parties are advised that at the close of evidence at trial they will be expected to file a final exhibit list on the docket.

**ENTER:**



**MARY M. ROWLAND**  
**United States District Judge**

***Dated: 4/24/23***