

STANDING ORDER REGARDING FINAL PRETRIAL ORDERS FOR CIVIL CASES BEFORE JUDGE ANDREA R. WOOD

For all civil trials, the Court will set a date in advance of trial by which the parties must file a joint proposed final pretrial order. The final pretrial order must be signed by counsel for each party and filed electronically using CM/ECF, with two courtesy copies delivered to chambers. The final pretrial order must include the following information (unless otherwise indicated the requirements apply for both jury and bench trials):

1. Jurisdiction. State the basis for the Court's jurisdiction. If the parties rely on diversity jurisdiction or another jurisdictional basis that requires a threshold amount in controversy, the parties must state whether they agree that the amount in controversy exceeds the required threshold and provide a concise explanation of how the evidence supports that statement. If jurisdiction is disputed, the parties must state the basis for the dispute.

2. Trial Attorneys. Provide a list of the attorneys trying the case, including business addresses, telephone numbers, and e-mail addresses.

3. Case Statement. Provide a concise, agreed statement of the case. The statement should include a description of the nature of the case, the claims (including counter-claims and cross-claims, if any), and the defenses raised to those claims. For jury trials, the statement will be read during jury selection.

4. Witness Lists. Each party must provide a list of witnesses, including expert witnesses, identifying the following:

- (a) witnesses that the party will call to testify at trial,
- (b) witnesses that the party may call to testify at trial, and
- (c) witnesses whose testimony the party plans to present by deposition or other prior testimony, indicating whether the presentation will be by transcript or video.

For each witness, the party proposing to call the witness must provide a concise (*i.e.*, no more than two or three sentences) description of the witness's role in the case. For example: "George Washington is Plaintiff's cousin. Washington witnessed the arrest of Plaintiff where Defendants allegedly used excessive force." Or: "John Adams is Defendant's Chief Operating Officer. Adams made promises concerning the timing of payments under the contract at issue in the case."

5. Deposition Designations. For each witness whose deposition will be used in lieu of live testimony at trial, submit a chart containing the following information:

- (a) a listing, by page and line, of the testimony that each party seeks to present,
- (b) a concise statement of objections to any testimony sought to be presented and the basis for the objection, and

- (c) a concise statement of the asserted basis of admissibility for any testimony to which an objection has been raised.

6. Exhibit Lists. Each party must provide a chart identifying all trial exhibits (including demonstratives, summaries, or other specially prepared exhibits) that the party reasonably intends to introduce to support the party's claims or defenses, including, for each exhibit:

- (a) the exhibit number;
- (b) a brief description of the document or item;
- (c) whether any party objects to the admission of the document or item and, if so, a concise statement of the basis for the objection (*e.g.*, Rule 402 – relevance; Rule 403 – undue prejudice or confusion); and
- (d) if an objection has been raised, a concise statement of the asserted basis of admissibility.

The Court encourages parties to stipulate to the authenticity of exhibits whenever possible. Exhibits as to which there is no objection will be received in evidence, without any need for further foundation testimony. However, in jury trials, exhibits to which no explicit reference has been made in testimony or otherwise are not published to the jury prior to the close of evidence are not in evidence unless otherwise ordered by the Court.

At least five (5) business days before the final pretrial conference, the parties must deliver to chambers two sets of binders containing copies of any proposed exhibits to which a party has raised an objection. After the final pretrial conference and rulings on exhibits, the parties will be asked to deliver three sets of final exhibit binders to chambers, one of which will serve as a witness set at trial.

7. Damage Itemization. Plaintiff (and counter/cross-claimants, if applicable) shall itemize the damages and other relief sought, and provide a concise explanation of the evidentiary basis for each itemization.

8. Proposed Voir Dire. For jury trials, the parties must include a joint document that contains:

- (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.

Please note that the Court routinely asks prospective jurors to provide the background information listed on the Court's Prospective Juror Letter, which can be found on the Court's website. Parties need not include such background questions as part of their proposed *voir dire*.

9. Jury Instructions. For jury trials, the parties must submit proposed jury instructions and a proposed verdict form as part of the final pretrial order. The parties are instructed to meet and attempt to agree on the jury instructions and verdict form before filing the final pretrial order. The proposed jury instructions must state, on an instruction-by-instruction basis, the following information: the proponent of the instruction, the legal authority for the instruction, and whether there is an objection to the instruction. If an instruction is disputed, the objecting party must concisely state – either at the bottom of the same page or on the page immediately following the instruction – the grounds for the objection, as well as any proposed modification or alternative. The same principles apply to proposed verdict forms. The parties are advised that the Court prefers the Seventh Circuit Pattern Instructions when applicable. In addition to filing the proposed jury instructions and verdict form as part of the final pretrial order, the parties also must submit a Word version of each to the Court’s Proposed Order e-mailbox: Proposed_Order_Wood@ilnd.uscourts.gov.

10. Motions *in Limine*. The parties must meet and confer on all motions *in limine* before the motions are filed. If there is no objection, but the movant wishes to file a motion memorializing the issue and non-objection, then the motion must state that there is no objection. In most cases, motions *in limine* will be due on the same date as the final pretrial order, with response and reply briefs to follow according to the schedule set by the Court.

11. Trial Briefs. The Court does not require trial briefs for jury trials or most bench trials. Any party who wishes to file a trial brief in a case where it has not been requested by the Court, must seek leave to do so.

12. Evidence Projection Systems. The Court has a limited number of evidence projection systems, which may or may not be available for use on particular dates. Parties desiring access to the Court’s evidence projection systems are advised to submit a request as far in advance as possible to Joe Novak, the Courtroom Technology Administrator. Mr. Novak may be reached at (312) 435-6045. Parties will be permitted to use their own evidence projection systems, upon reasonable terms, if a request is made in advance of trial.

13. Final Pretrial Conference. The Court will hold a final pretrial conference approximately one to three weeks before trial. Lead trial counsel should appear fully prepared and with authority to discuss all aspects of the case. At the conference, the Court will address pending motions *in limine*, objections to witnesses and exhibits, contested jury instructions, trial procedures, and scheduling matters. Objections to witnesses, deposition designations, and exhibits that are not raised in the proposed final pretrial order or at the final pretrial conference will be deemed waived, absent a showing of good cause.

Entered:

A handwritten signature in black ink, appearing to read "Andrea R. Wood", written over a horizontal line.

Andrea R. Wood
United States District Judge