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MOTIONS:

All motions will be heard on **WEDNESDAY**, _____, **201__**, at **2:15 p.m.** Motions, affidavits and memoranda shall be filed and served by the moving party no later than _____, **201__**. Any opposition shall be filed and served no later than _____, **201__**.

Chambers copies of all filed documents shall be marked “Chambers Copy” and submitted to the Court no later than noon on the business day following the filing.

PRETRIAL CONFERENCE:

A Pretrial Conference will be held on **TUESDAY**, _____, **200__**, at **3:00 p.m.** At the Pretrial Conference the parties shall be prepared to discuss the matters set forth in Criminal Local Rule 17.1-1(b).

PRETRIAL PREPARATION:

Not less than **five court days** before the Pretrial Conference, counsel for the government shall:

- (1) Serve and file a trial memorandum briefly stating the legal bases for the charges and the anticipated evidence, and addressing any evidentiary, procedural or other anticipated legal issues;
- (2) Serve and file a list of all witnesses who may be called, together with a brief summary of the testimony of each;
- (3) Serve and lodge a proposed form of verdict;
- (4) Serve and lodge proposed questions for jury voir dire; and
- (5) Serve and lodge copies of all exhibits to be offered at trial, together with a complete list (**see attached form**) of those exhibits. Each exhibit shall be premarked with an exhibit sticker (**see attached form**), the government’s with numbers.

Not less than **five court days** before the Pretrial Conference, defense counsel shall comply with subparagraphs (3) and (4) above, and, to the extent consistent with the defendant’s right to an effective defense, with subparagraphs (1), (2) and (5) above, the defendant’s exhibits to be premarked with letters.

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JURY INSTRUCTIONS:

All proposed jury instructions and any objections thereto are to be filed and served no later than **five court days** before the pretrial conference.

In advance of the pretrial filings the parties shall do the following:

- (1) Meet and confer and resolve all jury instructions to the extent possible. The parties are expected to resolve technical or semantic differences.
- (2) Prepare **one joint** set of instructions upon which the parties agree.
- (3) The parties shall submit separately only those instructions upon which there is substantive disagreement. The party or parties objecting to an instruction shall file a written objection. The form of the objection shall be as follows:
 - (a) Set forth in full the instruction to which the objection is made;
 - (b) Provide concise argument and citation to authority explaining why the instruction is improper.
 - (c) Set forth in full an alternative instruction, if any;
- (4) All instructions should be concise, understandable and neutral statements of law. Argumentative instructions will not be given and should not be submitted.
- (5) Any modifications of instructions from the Ninth Circuit Model Jury Instructions or other form instructions must identify the modifications made to the original form instruction and the authority supporting the modification.

TRANSCRIPTS:

If transcripts will be requested during or immediately after trial, arrangements must be made with the court reporter at least **one week** before trial commences.

CHANGE OF PLEA:

Defendant’s counsel shall give prompt notice to the United States Attorney and to the Court of any intention to change a previously entered not guilty plea.

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EXHIBITS:

Each party is responsible for that party's exhibits. Upon the conclusion of the trial, the parties shall retain their respective exhibits. Should an appeal be taken, it is the party's responsibility to make arrangements with the clerk of the Court to file the record on appeal.

IT IS SO ORDERED.

Dated:

MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE

(revised 7/2012)