

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

STANDING ORDER FOR CIVIL TRIALS BEFORE JUDGE RITA F. LIN

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SUMMARY TABLE OF DEADLINES (JURY TRIAL)

DEADLINE	DATE
Meet and confer regarding pretrial conference, serve motions in limine	28 Days Before Pretrial Conference
Serve oppositions to motions in limine	21 Days Before Pretrial Conference
File proposed supplemental juror questionnaire and proposed jury instructions	21 Days Before Pretrial Conference
File joint pretrial conference statement, motions in limine and oppositions to motions in limine	14 Days Before Pretrial Conference
File joint involved individuals list, proposed verdict forms, statement of the case, exhibit list	7 Days Before Pretrial Conference
Arrange for daily transcript or real-time reporting	14 Days Before Trial
File proposed order for bringing exhibit presentation equipment and technology into the building	14 Days Before Trial
Contact courtroom deputy regarding courtroom layout and technology	10 Days Before Trial
Joint filing of all designations of deposition testimony	7 Days Before Trial
Upload exhibits to Box.com storage	5 Days Before Trial
Provide court reporter with joint list of terms	5 Days Before Trial
Prepare jury computer with admitted exhibits and exhibit list	Morning of Closing Argument

SUMMARY TABLE OF DEADLINES (BENCH TRIAL)

DEADLINE	DATE
Meet and confer regarding pretrial conference, serve motions in limine	28 Days Before Pretrial Conference
Serve oppositions to motions in limine	21 Days Before Pretrial Conference
File trial briefs of no more than 10 pages, proposed findings of fact and conclusions of law, joint exhibit list, joint pretrial conference statement, and motions in limine and oppositions to motions in limine	7 Days Before Pretrial Conference
Arrange for daily transcript or real-time reporting	14 Days Before Trial
File proposed order for bringing exhibit presentation equipment and technology into the building	14 Days Before Trial
Contact courtroom deputy regarding courtroom layout and technology	10 Days Before Trial
Joint filing of all designations of deposition testimony	7 Days Before Trial
Upload exhibits to Box.com storage	5 Days Before Trial
Provide court reporter with joint list of terms	5 Days Before Trial
Upload admitted exhibits to Box.com storage	7 Days After Trial

FINAL PRETRIAL CONFERENCE

1. The final pretrial conference will be held roughly 28 days before the start of trial. Lead trial counsel for each party shall attend. The parties should meet and confer at least 28 days before the final pretrial conference about the matters discussed below.

PRETRIAL FILINGS

Box.com Uploads

2. Instead of requiring paper binders of courtesy copies from the parties, Judge Lin uses an electronic binder to organize pretrial filings. Please use this form to upload the documents to Judge Lin's chambers' Box.com storage:
<https://cand.app.box.com/f/12aea34b708b4e63a1ceada8a6731839>. All pretrial filings shall be uploaded to that link. You should follow the instructions carefully, including by completing all fields exactly as on the docket, and uploading sealed documents in a separate submission using the same process. The uploaded documents should contain the ECF version of each attachment, with its ECF header. The name of each PDF file should include the type of document, a brief description of the document, and the docket number. For example, a news release (docket number 61-2) filed as the first exhibit to a declaration (docket number 61-1), would be, "[61-2] Decl Doe Ex 1 - News Release."

3. Judge Lin anticipates requests for sealing to be very limited at the trial stage. In the event that certain attachments have been filed under seal (or provisionally filed under seal with an accompanying motion to seal), only the unredacted versions of the attachments should be uploaded to Box.com. The PDF files should be named first with the docket number associated with the redacted version of the document and second with the document number associated with the unredacted/sealed version of the document. *E.g.*, "[61-2] [62-2] Decl Doe Ex 1 - News

Release.” All attachments (sealed or unsealed) should then be organized so that they can be viewed in logical order. If you have concerns about the upload of sensitive documents to Box.com, please reach out to the Courtroom Deputy.

Proposed Supplemental Juror Questionnaire (Due 21 Days Before PTC)

4. In advance of the trial, the Jury Office will send prospective jurors an online questionnaire. The questionnaire includes standard questions that are asked in every case, as well as a maximum of ten supplemental questions specific to a given case. One of those questions will ask about scheduling conflicts, so the parties should propose nine other questions. The parties shall file these questions on the docket and submit a Microsoft Word compatible version to rflpo@cand.uscourts.gov. However, no argument may be included in this submission. For a copy of the questions that Judge Lin tends to include in the supplemental questionnaire, see the Standing Orders section of Judge Lin’s website. A copy of the standard Civil Prospective Juror Questionnaire is available at https://cand.uscourts.gov/sites/default/files/wp-content/uploads/forms/SurveyMonkey_Civil-questionnaire_01-01-2025.pdf, and can be found on the court website in the Attorneys section under Attorney Quick Links (or navigating to Main Menu > Attorneys > Attorney Practice Resources > Jury Materials > Jury Civil Questionnaire for Prospective Jurors).

5. The parties need not include a question that asks prospective jurors whether they know any of the individuals involved in the case. The prospective jurors will be given an “Involved Individuals” list when they are called in.

Proposed Jury Instructions (Due 21 Days Before PTC)

6. The parties shall file a joint set of proposed jury instructions, arranged in the order the parties propose the Court give the instructions.

7. The parties should use the Ninth Circuit Model Jury Instructions where possible. Any modifications to a form instruction must be plainly identified by highlighting or tracked changes.

8. Instructions upon which the parties agree shall be identified as “Stipulated Instruction No. ____ Re _____,” with the blanks filled in as appropriate.

9. If the parties disagree on an instruction, each party’s proposed version of the disputed instruction shall be provided and identified as “Disputed Instruction No. ____ Re _____ Offered by _____,” with the blanks filled in as appropriate. All proposed versions of the same instruction shall bear the same number. Following each set of proposed versions of a disputed instruction, each party shall explain, in no more than one page, why the Court should give that party’s proposed instruction.

10. If the parties dispute whether a particular instruction should be given at all, the proponent of the instruction shall provide proposed language, identified as “Disputed Instruction No. ____ Re _____ Offered by _____,” with the blanks filled in as appropriate. Following the disputed instruction, each party shall explain, in no more than one page, why the instruction should or should not be given.

11. If either party believes that a dispute about jury instructions must be resolved before opening statements, it must be raised when the proposed jury instructions are filed and at the pretrial conference. Otherwise, the Court will discuss jury instructions with the parties during trial, typically at the close of evidence prior to closing arguments. Judge Lin generally instructs the jury immediately before closing arguments begin.

12. Judge Lin generally permits jury questions and gives the following instruction at the outset of the trial: “If, during the trial, you have a question that you believe should be asked

of a witness, you may write out the question. Put it on a separate sheet of paper with your juror number on it. After the questioning of that witness by the attorneys is complete, I will give you an opportunity to hand your question to the courtroom deputy. I will discuss the question with the attorneys and decide whether it may be asked. Do not feel slighted or disappointed if your question is not asked. Your question may not be asked for a variety of reasons, including the reason that the question may call for an answer that is inadmissible for legal reasons. Also, do not guess the reason your question was not asked or speculate about what the answer might have been. Always remember that you are not advocates for one side or the other in this case. You are impartial judges of the facts.” Any objection to this procedure must be raised at the pretrial conference.

Joint Pretrial Conference Statement (Due 14 Days Before PTC)

13. The parties shall file a Joint Pretrial Conference Statement that contains the following:

- a. a brief description of all claims and defenses that remain to be decided (including whether any issues are for the Court to decide rather than the jury);
- b. a statement of all relief sought;
- c. a statement of all relevant stipulated or undisputed facts;
- d. a list of all witnesses reasonably anticipated to be called at trial by each side;
- e. a chart of the probable trial witnesses that lists, for each witness, a brief description of the topic of the testimony (e.g., “eyewitness to accident” or “expert on standard of care”), estimated time for direct examination, estimated time for cross examination, and any special considerations (e.g., use of an interpreter or, if multiple witnesses are proposed for the same topic, why the testimony is non-duplicative); and

- f. if the parties request certain portions of trial testimony be sealed, a brief statement identifying what specific portion needs to be sealed, why the request is narrowly tailored and supported by compelling reasons, and why other measures would be insufficient. The Court can typically accommodate turning around the screens facing the gallery so exhibits may only be viewed by counsel and the witness, instructing the witness to testify without reading the confidential information out loud (*e.g.*, referring to “paragraph 2 of exhibit 25 shown on the screen”), and allowing proposed redactions to the trial testimony and exhibits before releasing the public versions. If sealed testimony is required, all sealed witness testimony will typically be scheduled to occur together on a single trial day, even if that disrupts testimony by requiring the recall of witnesses, so please consider if sealing is truly necessary.

Motions in Limine with Oppositions (Due 14 Days Before PTC)

14. Unless otherwise ordered by the Court, each party is limited to bringing ten motions in limine. Each motion should address a single, separate topic. Rather than trying to squeeze multiple topics into one motion in limine, the parties must seek relief from the ten-motion limit at least 35 calendar days before the final pretrial conference. That request for relief must list the topics of each motion in limine each side wishes to file.

15. Each motion should be clearly identified as “_____’s Motion in Limine No. ___ Re: _____.”

16. The memoranda in support of and in opposition to each motion in limine shall be no longer than five pages. The moving party shall not file a reply brief.

17. Motions in limine shall be submitted as follows: At least 28 calendar days before the final pretrial conference, the moving party shall serve, but not file, the opening brief. At least

21 calendar days before the conference, the responding party shall serve, but not file, any opposition. Once the moving party has received the opposition, if any, that party should file both the motion and the opposition in the same filing (*i.e.*, with the opposition attached as an exhibit) at least 14 calendar days before the final pretrial conference.

18. *Daubert* motions may be noticed for the pre-trial conference and will count toward the ten-motion limit. The parties should follow the same process as described above for these motions, except that the parties are allowed ten pages instead of five for both the opening and opposition briefs.

Statement of Objection to Unconscious Bias Video (Due 7 Days Before PTC)

19. Starting January 1, 2019, prospective jurors will be shown a video on unconscious bias in the jury office. A link to the video can be found at <https://cand.uscourts.gov/attorneys/attorney-practice-resources> by going to the Jury Materials tab and the Introductory Video for Potential Jurors subtab. If a party objects to prospective jurors' viewing this video, the party must file a short statement (not to exceed one page double-spaced) explaining its objection. The party should then alert the Court to its objection at the pretrial conference.

Involved Individuals List (Due 7 Days Before PTC)

20. The parties shall jointly file, and send in Word format to rflpo@cand.uscourts.gov, a list of people involved in the case. This list will be shown to prospective jurors during jury selection. The list should include counsel, members of the legal team who will sit at counsel table, the parties, the potential witnesses, and any other people significantly involved in the case. The list should be in alphabetical order by last name. Though the list may indicate titles (e.g., Dr. __ or Sergeant ____), it should not include information about the party with whom the individual is affiliated or their role (e.g., witness, etc.).

Verdict Forms (Due 7 Days Before PTC)

21. The parties shall file either a joint proposed verdict form, or, if they disagree, separate proposed verdict forms. Judge Lin prefers general verdict forms and generally does not approve special interrogatories in verdict forms unless there is a good reason. If a party proposes using special interrogatories, it must explain why doing so is appropriate by adding a footnote with that explanation to its proposed verdict form.

Statement of the Case (Due 7 Days Before PTC)

22. The parties shall jointly file a proposed simplified Statement of the Case to be read to the jury during voir dire. Unless the case is extremely complex, this statement should not exceed one page (double-spaced).

Exhibit List (Due 7 Days Before PTC)

23. The parties shall file a joint exhibit list in tabular form with the following columns: (1) exhibit number; (2) name or brief description of the exhibit; (3) the exhibit's purpose and sponsoring witness; (4) a brief description of any objections to the admissibility of the exhibit or, alternatively, a statement that the parties have stipulated to the exhibit's admissibility; (5) a brief response to any objections; and (6) a blank column for the Court's use. Failure to comply with this paragraph could be deemed a waiver of all objections. **Do not submit** blanket or boilerplate objections to the opposing party's exhibits; those will be disregarded and overruled.

Email Submission of Pretrial Filings

24. The proposed supplemental jury instructions, Joint Pretrial Conference Statement, jury instructions, involved individuals list, and verdict form(s) shall be submitted in Word format via e-mail to rflpo@cand.uscourts.gov when they are filed.

EXHIBITS

25. The parties must jointly prepare a single set of all trial exhibits that will be the official record and, if applicable, used on appeal.

26. No later than 5 days before trial, the parties shall send exhibits to Judge Lin's chambers' Box.com storage. Each exhibit should be uploaded as a separate file, with each file named so that the exhibits appear sequentially when sorted by file name. The parties should discuss with Judge Lin and the Courtroom Deputy how they will handle showing exhibits to witnesses, including whether witness binders are necessary.

27. Exhibits shall be sequentially numbered (not lettered). If possible, parties shall use the same number to mark an exhibit for trial as that used in depositions. Blocks of numbers should be assigned to fit the needs of the case (e.g., Plaintiff has 1 to 100, Defendant A has 101 to 200, Defendant B has 201 to 300, etc.).

28. A single exhibit should be marked only once. If the plaintiff has marked an exhibit, the defendant should not re-mark the same document with another number. Different versions of the same document (e.g., versions of a document with and without additional handwriting), however, must be treated as different exhibits and marked with different numbers.

29. Do not have witnesses write or draw on an exhibit that has already been admitted in evidence. Bring extra copies and mark the exhibit with a new number, have the witness write

on the new exhibit, and then move to admit the new exhibit into evidence once all the markings have been made.

Treatment of Exhibits During Trial

30. The parties must clearly announce the number of any exhibit used during the proceedings, even if it has already been admitted.

31. The parties must consult with each other and with the Courtroom Deputy at the end of each trial day about which exhibits are in evidence and any limitations thereon. If there are any disagreements, the parties should bring them promptly to the Court's attention.

32. The parties must provide agreed-upon written transcripts of the content of any audio or video exhibit to be used at trial. Failure to provide an agreed-upon transcript by the day an exhibit is offered will preclude the exhibit's admission.

33. At the close of evidence, before closing arguments, the parties must confer with the Courtroom Deputy to make sure the exhibits in evidence are in good order. At that time, the parties shall also agree upon an exhibit list of admitted exhibits with neutral descriptions, and shall load all admitted exhibits and the agreed-upon exhibit list onto Jury PC, which will be used to view the evidence during deliberations. Instructions for loading those exhibits are available at <https://cand.uscourts.gov/judges/courtroom-technology/jury-pc-displaying-electronic-evidence-during-deliberations/>.

34. Exhibit notebooks for the jury will not be permitted without prior permission from the Court.

35. Upon the conclusion of the trial, and unless otherwise ordered by the Court, exhibits offered during trial shall be filed on the docket within ten days of a trial verdict pursuant to Civil L.R. 5-1(g). Each party shall retain a full set of exhibits through the appellate process.

DEPOSITION AND DISCOVERY DESIGNATIONS

36. Unless otherwise ordered, no later than 7 days before trial begins, the parties shall jointly file all designations of deposition testimony or other discovery it wishes to offer, as well as any counter-designations or objections to the deposition testimony or discovery offered by any other party. In the same filing, the parties shall attach all excerpts of deposition testimony referenced in their designations and/or counter-designations, including the portions to which there are no objections. In addition to being filed, the designations chart must be emailed to the Court (rflpo@cand.uscourts.gov) in Word format, with a blank column in the table added for the Court's ruling.

37. There is no need to lodge the full deposition transcripts before trial for purposes of cross-examination. The lawyers should simply be prepared to hand to the Court, opposing counsel, and the witness a copy of the witness's deposition testimony once it is time to cross-examine them.

PRETRIAL ARRANGEMENTS

38. Should a daily transcript and/or real-time reporting be desired, the parties shall make arrangements with the Supervisor of the Court Reporting Services, at (415) 522-2079, at least 14 days before the trial date.

39. No later than five days before the start of trial, the parties must provide the Court Reporter a jointly-created list of names and places as well as any uncommon terms or acronyms that are likely to come up during the trial.

40. At least 10 days prior to trial, the parties should contact the Courtroom Deputy at rflcrd@cand.uscourts.gov to discuss any questions or issues about the layout of the courtroom.

41. The Court may be able to provide access to an easel and the courtroom electronic evidence presentation system. The parties should consult www.cand.uscourts.gov/courtroomtech for information on the available courtroom technology. During trial, the parties may wish to use computer graphics, poster blow-ups, or models. Such equipment must be provided by the parties. Equipment should be shared by all parties to the maximum extent possible. The United States Marshal requires a court order to allow equipment into the courthouse. To request such an order, the parties should submit a proposed order no later than 14 days before trial. For electronic equipment, parties should be prepared to maintain the equipment or have a technician handy at all times, and shall arrange with the Courtroom Deputy to test the equipment in the courtroom prior to the first day of trial. If the technology fails, the parties should expect to use paper demonstratives or the courtroom ELMO document camera. The parties shall tape extension cords to the carpet for safety.

THE JURY

42. The Court does not restrict the parties, their counsel, or any agent, consultant, investigator, or anyone working for them from conducting research regarding a prospective juror, so long as the research is done only from generally available sources (i.e., those that are publicly available or derive their information from publicly available sources, free or paid) and that there is no actual contact or any reasonable possibility of contact with a prospective juror. Contact includes actions taken by a party, attorney, investigator, etc., that trigger a notification to a prospective juror that their social media profile has been viewed by someone, even if that notification does not specify who viewed the profile, is inadvertent, or is provided automatically by the social media site (e.g., a LinkedIn notification that prospective juror's profile was viewed by an "anonymous person," or certain social media sites that automatically provide a list of

accounts that have viewed the prospective juror's posts or content). No "follow requests," "friend requests," or the like may be sent to any prospective juror on any social media site, regardless of whether a profile is public or private. No in-person surveillance, no matter how brief, of any home, neighborhood, or place of work of any prospective juror or any family member of a prospective juror is allowed.

43. The parties do not need to submit proposed voir dire questions in advance of trial.

44. A day or so before jury selection, the Court will hold an "excusal hearing" for the purpose of determining which prospective jurors should be excused for hardship or cause based exclusively on their questionnaire responses. One to two days before the excusal hearing, the Court will send the parties a copy of the responses. The remaining jurors will be called in for jury selection.

45. Voir dire may not be used as an opportunity to discuss the facts of the case or to ask jurors what verdict they would render on similar facts. Nor should counsel's questioning of jurors rely on personal anecdotes about counsel's life or family, because those types of stories too easily slide into attempts to bias jurors. Examples used in voir dire should be unrelated to the case or counsel.

46. Any objection to another party's use of a peremptory challenge under *Batson v. Kentucky*, 476 U.S. 79 (1986), or its progeny, should be made by asking to retain the juror and then asking to approach, without mentioning the reason for the request.

OBJECTIONS

47. Speaking objections are strictly forbidden. In making objections, the parties should state only the legal grounds for the objection and should withhold all further comment or argument unless elaboration is requested by the Court. Likewise, the parties may respond to an

objection by stating the legal grounds for admission (e.g., in response to a “hearsay” objection, a party may state “spontaneous statement” or “not for the truth but for effect on listener”), but should withhold all further comment or argument unless elaboration is requested by the Court.

48. Anticipated evidentiary issues should be raised at the start of the day or, if unanticipated, during a break, rather than at a lengthy sidebar with the jury waiting.

49. No written motions are permitted during trial before (a) lead trial counsel have met and conferred as to the issue, and (2) the issue has been raised orally to the Court either at the beginning or close of the trial day, and the Court has authorized such a filing. Any written motions during trial will be limited to five pages, and must be submitted no later than 6:00 p.m., absent an exception authorized by the Court.

USING PRIOR STATEMENTS AND REFRESHING RECOLLECTION AT TRIAL

50. The parties should review the guide for using prior statements of witnesses and refreshing recollection at trial, which is posted in the Standing Orders section of Judge Lin’s website. If you wish to question a witness about a prior inconsistent or consistent statement, you must have hard copies of the prior statement for the Court and the opposing party to review at sidebar. If you plan to play an audio or video recording, you must have hard copies of the transcript, if one exists. If you do not, the Court cannot determine whether the statement is inconsistent or consistent, and you will not be allowed to read or play the statement. The Court may require you to read or play a longer excerpt to give the jury appropriate context, so be sure you are prepared to do so, including if you plan to play a recording.

WITNESSES

51. At the close of each trial day, the parties shall exchange a list of witnesses for the next two full court days and the exhibits that will be used during direct examination (other than

for impeachment of an adverse witness). Within 24 hours of receiving such notice, the opposing party shall provide any objections to such exhibits and shall provide a list of all exhibits to be used with the same witness on cross-examination (other than for impeachment). The first notice shall be exchanged 48 hours prior to the first day of trial. All such notices shall be provided in writing.

52. At the start and close of each trial day, the parties shall alert the Court to any objections to upcoming witnesses or evidence, which the Court will address before the jury comes in.

53. The parties shall have all upcoming witnesses on the same day available in the courthouse and ready to testify. Failure to have the next witness ready or to be prepared to proceed with the evidence will usually be deemed to constitute resting.

TIME LIMITS

54. In many cases, the Court will set fixed time limits at the final pretrial conference. All of your examination time (whether direct, cross, re-direct or re-cross) for all witnesses, side bar conferences during your examination, opening statement, and closing argument must fit within your time limit, and you may allocate it as you wish. If there is a particularly lengthy side bar conference in which the other side's objection is overruled or a witness affiliated with the opposing side is unusually evasive or long-winded, the examining party may request that the Court charge some or all of the time at issue to the opposing party.

BENCH TRIALS

55. In non-jury cases, all pretrial filings are due 7 days before the pretrial conference. They must include trial briefs not to exceed 10 pages each, a joint pretrial conference statement,

a joint exhibit list, and proposed findings of fact and conclusions of law. Judge Lin expects far fewer motions in limine for bench trials.

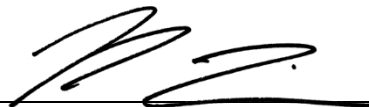
56. The parties should be prepared to give closing arguments at the close of evidence.

57. The parties will be required to submit revised proposed findings of fact and conclusions of law 7 days after the trial. All factual findings must be supported by citations to all pertinent portions of the record; therefore, arranging for daily transcripts is strongly recommended. If the citation is to witness testimony and a rough or final transcript is not yet available, the citation can simply be to the date of the testimony. Proposed findings shall be brief, written in plain English, and free of pejorative language. In addition to being filed, the proposed findings must be emailed to the Court (rflpo@cand.uscourts.gov) in Word format.

58. In addition to the admitted exhibits to be filed pursuant to Civil L.R. 5-1(g), each party shall also send a courtesy copy of the admitted exhibits to Judge Lin's chambers' Box.com storage as detailed above within 7 days after the close of evidence, addressed to the attention of Judge Lin's chambers.

IT IS SO ORDERED.

Dated: September 2, 2026



Rita F. Lin
United States District Judge