

DOCKET NO: FBTCV196087716S

SUPERIOR COURT

ROTH, DAVID
V.
FOSTER, CORYJUDICIAL DISTRICT OF FAIRFIELD
AT BRIDGEPORT

11/20/2019

ORDER

The following order is entered in the above matter:

ORDER:

CIVIL TRIAL MANAGEMENT ORDER

The parties shall comply with the following trial management order unless otherwise ordered by the court. Failure to comply may result in sanctions, which may include the exclusion of evidence, imposition of costs, non-suit or default. The presiding judge or the trial judge may modify this order for any individual case.

Counsel and self-represented parties must attend any scheduled trial management conference at the assigned time. Counsel and self-represented parties should come prepared to engage in settlement negotiations. Counsel must have clients and/or decision makers (such as insurance adjusters) present or immediately available by phone. Counsel for a plaintiff or a self-represented plaintiff must bring an updated pretrial memorandum (JD-ES-47) to the trial management conference.

A trial management report must be filed with the court before or at the scheduled trial management conference. A trial management report may be filed jointly by the parties or individually by each party. The trial management report must include the following:

1. A brief, non-argumentative factual description of the case.
2. A list identifying the filing numbers of the operative pleadings (complaint, answer, counterclaim, etc.) and any Practice Book §13-4 expert disclosure by name and docket entry number.
3. A list of all pending motions that must be decided before the start of trial including motions in limine or motions to preclude evidence.

Any motions requiring adjudication before the start of jury selection or evidence, including motions in limine or motions to preclude, shall be filed AT LEAST TWO WEEKS before the start of jury selection (or if a bench trial, at least two weeks before the start of evidence.) A written objection or response to any such motion will be filed within SEVEN DAYS after the filing of the motion.

The moving party shall file a CASEFLOW REQUEST FORM (JD-CV-116) with the motion stating that the motion requires disposition before trial.

The trial judge may decline to consider any motion not filed in compliance with this order.

4. A list of the legal and factual issues that are not in dispute.
5. A witness list for each party in the order in which they are planned to be called with an identifier for each witnesses (parties, expert, a fact witness, a document custodian) including any anticipated scheduling problems.

Witnesses not listed may be precluded from testifying at trial (unless a rebuttal witness.) [Note: This order does not replace or change the requirements of Practice Book §13-4 regarding the manner and time for expert disclosure.]

6. An estimate as to the amount of time required for jury selection (if a jury trial).
7. An estimate of the amount of time necessary to try the case.

8. A statement as to any anticipated scheduling problems other than those involving witnesses, which must be set forth as required in paragraph 5.

Preliminary requests to charge, proposed verdict forms and any requests for jury interrogatories must be

filed before the start of evidence or as directed by the court (if a jury trial.)

Before the start of evidence, all exhibits each side reasonably expects to introduce must be exchanged and pre-marked in accordance with the instructions contained in form JD-CL-28 regarding Lists of Exhibits. Any exhibit offered at trial that is not on a List of Exhibits may be precluded, except for good cause shown or unless the exhibit involves rebuttal or impeachment evidence.

Before the start of evidence, the parties shall communicate with each other about whether objections exist as to the admissibility of any exhibits. Counsel shall endeavor to agree on all redactions before the start of evidence.

The parties shall give the courtroom clerk copies of the Lists of Exhibits only. The parties shall retain possession of the exhibits (and shall NOT give the exhibits to the courtroom clerk) until offered during the trial. Any agreement to mark a document as a full exhibit must be stated on the record. No document will be marked by the courtroom clerk either for identification or as a full exhibit absent direction from the court on the record (unless otherwise ordered by the trial judge.)

The parties are advised that discovery disputes should be addressed prior to trial to the extent possible pursuant to the procedures provided under Chapter 13 of the Practice Book. Motions in Limine and Motions to Preclude are disfavored when directed to discovery issues that could have been addressed and resolved through pretrial motions available under Chapter 13 of the Practice Book and filed during the time period scheduled for discovery.

STEVENS, J.
PRESIDING JUDGE

410631

Judge: BARRY STEVENS
Processed by: William Gildea

This document may be signed or verified electronically and has the same validity and status as a document with a physical (pen-to-paper) signature. For more information, see Section I.E. of the *State of Connecticut Superior Court E-Services Procedures and Technical Standards* (<https://jud.ct.gov/external/super/E-Services/e-standards.pdf>), section 51-193c of the Connecticut General Statutes and Connecticut Practice Book Section 4-4.