

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

JOINT TRIAL MEMORANDUM - INSTRUCTIONS
FOR THE HONORABLE JANET BOND ARTERTON (revised 09/21)

Thirty days after the Court's ruling on dispositive motions the parties shall jointly submit in one continuous document to be signed by all counsel a joint trial memorandum (in compliance with Local Rule 6 of Civil Procedures and the Standing Order Regarding Trial Memoranda in Civil Cases as modified herein). This Memoranda shall be submitted for the court's approval by no later than 30 days after any decision of the court on dispositive motions that leaves open for trial any issue of material fact, or in the event no such motions have been filed, 30 days after the completion of all discovery or, by a date ordered by the court, or as set forth above (date specific). At the time of filing, a paper courtesy copy and flash drive containing the Joint Trial Memorandum (in any format other than PDF) shall be provided to chambers. The joint trial memorandum shall contain the following information:

- (1) **TRIAL COUNSEL:** Counsel shall list the names, addresses and telephone numbers and e-mail addresses of the attorney(s) who will try the case. Trial counsel must attend the calendar call or pre-trial conference, unless excused by the court.
- (2) **TURISDICTION:** Counsel shall set forth the basis for federal jurisdiction.
- (3) **TURY/NON-TURY:** Counsel shall state whether the case is to be tried to a jury or to the court.
- (4) **LENGTH OF TRIAL:** Counsel shall set forth a realistic estimate of trial days required.
- (5) **FURTHER PROCEEDINGS:** Specify, with reasons, the necessity of any further proceedings prior to trial.
- (6) **NATURE OF CASE:** Counsel for both parties shall separately state the nature of each cause of action and the relief sought.
- (7) **TRIAL BY MAGISTRATE TUDGE:** Counsel shall indicate whether they have agreed to a trial by a Magistrate Judge and if so, file signed consent forms providing for any appeal to be heard directly by the Court of Appeals.
- (8) **LIST OF WITNESSES:**

(a) Witnesses: Counsel shall set forth the names and addresses of each witness to be called at trial, including a brief summary of the anticipated testimony. Witnesses not included in this list--except those used solely for rebuttal or impeachment--shall not be permitted to testify at trial, except for good cause shown.

(b) Exhibits: Counsel shall attach a list of all exhibits --including a brief description of their contents--to be offered at trial. Exhibits not listed, except those used solely in rebuttal or for impeachment, will not be admissible at trial, except for good cause shown. The parties shall mark all exhibits numerically or alphabetically (e.g., plaintiff: 1 - 500, defendant 500 - 1000; QR plaintiff shall use numbers; defendant shall use letters) with exhibit tags to be provided by the Clerk's Office upon request. Copies of the actual exhibits shall be exchanged no later than fourteen (14) days prior to trial, and the original set of exhibits for the Deputy Clerk and a complete copy of the exhibits (in binders) for Judge Arterton shall be submitted to the Deputy Clerk one (1) day prior to trial. On the first day of trial, counsel shall provide to the Courtroom Deputy an exhibit list pursuant to Local Rule 83.6(6).

Any objection to the admissibility of any exhibit or the testimony of any witness shall be filed with the court in writing prior to the final pre-trial conference, together with a memorandum of authorities in support of the objection. If no objection is made, the exhibit may be admitted without further proof of authenticity.

(9) STIPULATIONS AND PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW:

Counsel for both parties shall confer in an effort to enter into a written stipulation of uncontroverted facts and into an agreed statement of the contested issues of fact and law.

(a) Bench Trial: Each party shall submit specific proposed findings of fact necessary to support a judgment in that party's favor, identifying each witness and/or exhibit as to each factual conclusion. Each party shall submit proposed conclusions of law, citing supporting legal authority as to each legal claim [with flash drive in any format other than PDF].

Except under unusual circumstances, post-trial briefing will not be permitted.

Any pre-trial memoranda which any party (ies) wish the Court to consider must be filed no later than five days prior to the date trial commences.

(b) Jury Trial: The stipulation of uncontroverted facts will be read to the jury, and no evidence shall be presented on the uncontested facts.

(1) Proposed Vair Dire Questions: Counsel shall attach a list of questions to be submitted to the jury panel as part of the Joint Trial Memoranda, with any

supplements no later than 24 hours before jury selection.

(2) *Proposed Jury Instructions:* Counsel shall attach requests for jury instructions, citing relevant legal authority for each proposed instruction. Counsel are not required to submit general jury instructions which, for example, instruct the jury on its role, evidence in general, witness credibility, etc.

(3) *Proposed Verdict Form:* Counsel shall attach a proposed verdict form and any proposed special interrogatories.

(10) *OBJECTIONS:* Each party shall submit its objections to the legal claims of the other party prior to the filing of the Joint Trial Memorandum. The failure to present an objection to a legal claim in the Joint Trial Memorandum without good cause may be deemed a waiver of such objection.

(a) *Trial to Court:* Each party shall submit its objections to the proposed conclusions of law of the other party, citing legal authority for each objection.

(b) *Trial to Jury:* Each party shall submit its objections to the proposed jury instructions of the other party, citing legal authority for each objection.