

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**IN RE:**

Pre-trial conference and  
associated filings in civil  
cases before Judge Garcia-  
Gregory

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**STANDING ORDER**

**I. ATTENDANCE**

Unless excused by the Court, each party shall be represented at the Pre-Trial Conference by counsel who will conduct the trial. Counsel shall have conferred with their clients and with each other to explore the possibilities of settlement before the Pre-Trial Conference, shall be prepared to advise the Court as to prospects of settlement and shall be themselves authorized or accompanied by persons authorized to engage in settlement discussions and consummate settlement. No excuses will be granted from this obligation.

In the event that some disposition of the case has been heretofore made, or is made before the pretrial conference, counsel shall notify the Court's Deputy Clerk by telephone and promptly thereafter submit closing papers. Compliance with this Order is not excused absent the actual filing of closing papers.

## II. FILING DUE DATE

Prior to the pretrial conference, counsel shall meet and confer for the purpose of preparing a joint pretrial memorandum for presentation to the Court **at least** seven days prior to the conference, unless otherwise specified. Extensions will not be granted without showing of exceptional cause.

## III. CONTENTS

The pretrial memorandum shall set forth:

1. The names, addresses and telephone numbers of trial counsel;
2. Whether the case is to be tried with or without a jury;
3. A **concise** summary of the positions asserted by the plaintiff, defendant, and other parties, with respect to both liability and damages (including special damages, if any);
4. The facts established by pleadings or by stipulations or by admissions of counsel. In particular, counsel shall stipulate all facts not in genuine dispute;
5. Contested issues of fact;
6. Any jurisdictional questions;
7. Issues of law, including evidentiary questions, together with supporting authority;
8. The probable length of trial;
9. The names and addresses of witnesses who shall testify at the trial, and the purpose of the testimony of each witness, i.e., whether factual, medical, expert, etc. Unless the qualifications of any medical or other expert

- witness are admitted, a brief statement of the qualifications of such witness shall be included; and,
10. An identification by inclusive page and lines of any portions of depositions or interrogatory responses to be offered at trial and a precise statement of any objections thereto;
  11. A list of proposed exhibits, indicating which exhibits may be admitted without objection and a brief statement of the ground for any objection to the others. Each exhibit shall be numbered if the exhibit is agreed upon. Exhibits which are contested shall be lettered. Counsel shall have pre-marked all exhibits before the start of the trial.
  12. Any additional matters to aid in the disposition of the action.

#### **IV. ADDITIONAL FILINGS**

In connection with the joint pre-trial memorandum, but as separate filings made at the same time, the parties shall submit their respective:

1. Proposed preliminary instructions, if any, to be read to the jury at the beginning of trial. Boilerplate instructions (e.g., note taking, duties of the Court, jury and counsel, etc.), need not be submitted. Rather, Counsel should focus on those instructions deemed particularly relevant to the case; e.g., elements of the cause of action.
2. Any proposed *voir dire* questions.
3. Motions in limine, or other requests regarding foreseeable disputes concerning evidentiary or other issues, including authority for the ruling requested.

Failure to comply with any of the directions set forth above may result in judgment of dismissal or default, or the imposition of other sanctions deemed appropriate by the Court.

**IT IS SO ORDERED.**

In San Juan, Puerto Rico, this 3<sup>rd</sup> day of July, 2013.

s/ Jay A. Garcia-Gregory  
JAY A. GARCIA-GREGORY  
United States District Judge