

**SUPPLEMENT TO GENERAL ORDER ON TRIAL PROCEDURES
CIVIL CALENDAR 6, JUDGE GREGORY E. JACKSON –AUGUST 2011**

I. CHAMBERS, STAFF, AND SCHEDULE FOR CALENDAR 6

Judge:	Gregory E. Jackson
Chambers:	JM-610 Moultrie Building 500 Indiana Avenue, N.W. Washington, D.C. 20001
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Judicial Admin. Assistant:	Theresa A. Jackson
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Courtroom Clerk:	Kia Darby
Courtroom:	100 500 Indiana Avenue NW Washington, D.C. 20001 Phone: (202) 879-1509

Unless otherwise directed, matters on Calendar 6 will take place in **Courtroom 100:**

I. MOTIONS, OTHER FILINGS AND COURT JACKETS

All filings of represented parties subsequent to the complaint and affidavits of service must be electronically filed and served. This applies to pending and newly-filed cases. See <http://www.dccourts.gov/efiling> .

All motions seeking to continue a hearing date must be filed **at least** three (3) business days ahead of time. Motions filed less than 3 days before a scheduled hearing will **not** be accepted by the Court and the parties must appear at the hearing.

All requests must be written motion (Rule 7(b)(1), 12-1(d)). The Court will not act on informal correspondence or telephone calls, but appreciates notice by phone that an emergency motion is being filed. Ex parte communications are inappropriate and will not be accepted. Fees must be paid before filing.

If the motion is made by an unrepresented party (pro se), the original motion or other court filing and one copy plainly marked “Chambers Copy” shall be filed in the Clerk’s office, Room 5000 (Rule 5(e)); no motions or other court filings should be faxed. The courtesy copy to chambers must be accompanied by (1) a proposed order, Rule 12-1(e); (2) a copy of the scheduling order, Rule 12-1(h); (3) a mailing label for each party entitled to receive a copy of the order; (4) a statement that an attempt was made to obtain consent to the relief sought, Rule 12-1(a); and (5) a certificate of service on all parties and on Chambers, Rule 5-1. Ordinarily, motions that do not comply with these requirements will be summarily denied. Memoranda that exceed ten pages in length and replies to oppositions are discouraged.

- For e-filed motions, the filing must include a (1) a proposed order, (2) certificate of service, and (3) statement that consent to the relief was sought, and (4) a separate electronic copy of any proposed order in Microsoft Word Format and it must be emailed to Jacksonge3@dcsc.gov.
- When filings are over twenty-five (25) pages, in total, a paper copy must be mailed to Chambers at the above address. If pro se litigants or land parcels are parties, mailing labels for those individuals or entities need to be mailed to chambers.

STIPULATIONS BETWEEN COUNSEL SHALL NOT BE EFFECTIVE TO CHANGE DEADLINES.

Motions will be decided on the papers alone, unless the Court determines the need for a hearing. Counsel and pro se parties must notify chambers if a pending motion is resolved or a case is settled.

The official court record is Courtview. The docket and court filings are maintained electronically and may be reviewed online at www.dccourts.gov/pa/ or at terminals in the Clerk's Office (Room 5000).

II. DISCOVERY

Motions to compel discovery and motions relating to discovery must comply with Rule 37 (a) and Rule 26(i). The meeting required by those rules must be face to face, for a reasonable period of time (usually at least 60 minutes) in an effort to resolve the matter before filing a motion. Motions lacking this certification, including the date, time and place at which a meeting was held, will be summarily denied.

III. SETTLEMENT

In order to reduce litigation expense and delay, to eliminate the anxiety of trial and the risk of an unsatisfactory outcome, it is desirable that settlements occur as early as possible in the litigation process. The Court and the Multi-Door Dispute Resolution Branch are available to assist the parties in pursuing settlement early in the case. However, the Court will not delay trial to participate in settlement discussions on the day of trial. Counsel must sign a certificate that case discovery has been completed by the time of mediation. Counsel unable to sign the certificate will be summoned to appear before the Court for consideration of further sanctions.

IV. PRETRIAL/SETTLEMENT CONFERENCE

Violations of any provision of Rule 16 may result in sanctions. The attached form of **Joint** Pretrial Statement must be used and must include **joint voir dire** questions, jury instructions and verdict form—with objections, if any. **Non-party principals** with settlement authority must attend in person, or at the Court's

discretion, be available by telephone until notified by counsel that the conference has concluded (usually one hour after its scheduled beginning).

V. IN-COURT PROCEEDINGS

**PLEASE REVIEW THE GENERAL ORDER ON CIVIL PROCEDURES.
THE FOLLOWING SUPPLEMENT TO GENERAL ORDER ON TRIAL
PROCEDURES.**

Trials

(Mondays through Thursdays, beginning at 9:30 a.m.)

Scheduling Conferences, Oral examinations, and Ex Parte Proofs.

(Fridays from 9:30 a.m. to 12:00 p.m.)

I. Readiness and Breaks:

- A.** The parties are encouraged to continue settlement discussions up to the day of trial and during trial recesses, but the Court will not participate or delay the trial proceedings.
- B.** All parties and counsel must be present in Courtroom 100 ready to commence trial at 9:30 am.
- C.** There will be at least one morning break and more breaks, if needed by the parties or the jurors.
- D.** Generally, the lunch break will occur between 12:30 pm and 2:00 pm.

II. Exhibits and Equipment

- A.** On the first day of trial, premarked exhibits (previously served on all other parties) must be given to the Courtroom Clerk.
- B.** **Where a party has more than 15 documentary exhibits, that party shall place the exhibit summary form and the exhibits, separated by tabbed divider pages, in a notebook, per Rule 16(f). Use of Power Point or other computer aides, to help the jury see and understand exhibits, is encouraged.**
- C.** Courtroom 100 has electrical outlets. Parties requiring technical equipment (e.g., x-ray view boxes, video display monitors, overhead projectors, “Elmo,” computers, extension cords for electrical equipment, etc.) must make their own arrangements outside the court. A memorandum requesting permission to bring such items into the courthouse must be delivered or faxed (202) 879-4829 to Annie Wicks, Executive Officer, no later than two business days before trial.
- D.** All exhibits admitted into evidence will remain with the Courtroom Clerk, unless the parties agree that certain exhibits (e.g., extremely large exhibits) may remain with the party who admitted the exhibit into evidence.

III. Witnesses:

- A.** Witnesses will be put on call at the peril of the calling party. The trial will not be recessed because a witness on call is unavailable, except in extraordinary circumstances. The party calling a witness shall arrange for that witness' presence until cross-examination is completed, including the following trial days, if necessary.
- B.** Objections to parts of de bene esse depositions should be delivered to chambers with a transcript one week before trial unless, a last minute deposition is taken to accommodate an unavailable witness.
- C.** No party may proffer, at trial, witnesses or exhibits not disclosed at pretrial except for purposes of rebuttal or for impeachment (i.e., that the new witness or exhibit relates solely to the credibility of an opposing witness). No retained expert (as distinct from a fact witness who is also an expert, e.g. a treating physician) may testify during a party's case-in-chief or in rebuttal unless a Rule 26(b)(4) statement was provided prior to pretrial.

IV. Jury

- 1. The court will conduct the voir dire of the jury after a preliminary discussion with the parties on the morning of trial. The court will consider the voir dire questions submitted by the parties in the Joint Pretrial Statement in finalizing them.
- 2. Any non-standard instructions and the verdict form must be submitted on 3-hole punched paper suitable to be seen by jurors (and on Word diskette for easy editing).
- 3. The court will advise the parties prior to final argument of the instructions and verdict form to be given to the jury.

V. Deliberations

- 1. The court will send to the jury admitted exhibits, copies of the written jury instructions, and the verdict form. In addition, jurors will be able to take their notebooks with them if note taking has been permitted.
- 2. Throughout jury deliberations, counsel must be available on ten minutes notice in the event that any jury notes are received. Counsel choosing not to remain in the vicinity of the courtroom should make certain that the courtroom clerk has a telephone number where they can be reached.
- 3. Generally, the jury will be brought into the courtroom to be excused at the end of the day, even if deliberations are resumed the following day. The Courtroom Clerk will collect all exhibits, notebooks, instructions, and the verdict form at the end of each day of deliberations and will return them to the jury when all are present the following morning of deliberations.

08/01/11 - Revised