



1 Defendant(s):

2 **B. LIST OF WITNESSES**

3 Each party shall separately list the names of witnesses, their respective addresses,  
4 whether a fact or expert witness, and a brief statement as to the testimony of each witness.  
5 The witnesses shall be grouped as follows: (1) witnesses who shall be called at the hearing;  
6 (2) witnesses who may be called at the hearing; and (3) witnesses who are unlikely to be  
7 called at the hearing.

8 Additionally, the parties shall include the following text in this section of the **joint**  
9 pre-hearing statement: “Each party understands that it is responsible for ensuring that the  
10 witnesses it wishes to call to testify are subpoenaed. Each party further understands that any  
11 witness a party wishes to call shall be listed on that party’s list of witnesses above and that  
12 party cannot rely on that witness having been listed or subpoenaed by another party.”

13 **C. LIST OF EXHIBITS (SEE ATTACHMENT #1 - the parties shall number**  
14 **exhibits as provided in Attachment #1 (“Exhibits - Marking, Listing and**  
15 **Custody”), and such numbers shall correspond to the numbers of exhibits**  
16 **listed in the **joint** pre-hearing statement):**

17 **1. The following exhibits are admissible in evidence and may be marked**  
18 **in evidence by the Clerk:**

19 **a. Plaintiff’s Exhibits:**

20 **b. Defendant’s Exhibits:**

21 **2. As to the following exhibits, the parties have reached the following**  
22 **stipulations:**

23 **a. Plaintiff’s Exhibits:**

24 **b. Defendant’s Exhibits:**

25 **3. As to the following exhibits, the party against whom the exhibit is to be**  
26 **offered objects to the admission of the exhibit and offers the objection stated below:**

27 **a. Plaintiff’s Exhibits:**

28 (E.g., City Hospital records of Plaintiff from March 6, 1985 through March 22, 1985.

1 Defendant objects for lack of foundation because . . . (the objection must specify why there  
2 is a lack of foundation)).

3 **b. Defendant's Exhibits:**

4 (E.g., Payroll records of Plaintiff's employer which evidences payment of Plaintiff's  
5 salary during hospitalization and recovery. Plaintiff objects on grounds of relevance and  
6 materiality because (the objection must specify why the exhibit is not relevant or material)).

7 **4.** The parties shall include the following text in this section of the **joint**  
8 pre-hearing statement: "Each party hereby acknowledges by signing this **joint** pre-hearing  
9 statement that any objections not specifically raised herein are waived."

10 **E. DEPOSITIONS TO BE OFFERED**

11 The parties shall list the depositions that may be used at the hearing. The portions to  
12 be read at the hearing shall be identified by page and line number in the **joint** pre-hearing  
13 statement. Additionally, the party offering the deposition shall provide the Court with a copy  
14 of the offered deposition testimony. The offering party shall highlight, in color, the portions  
15 of the deposition to be offered. If multiple parties are offering the same deposition, only one  
16 copy of such deposition shall be provided. Such copy shall contain each parties' highlighting  
17 (each party should use a different color).

18 The parties shall include the following text in this section of the **joint** pre-hearing  
19 statement: "Each party hereby acknowledges by signing this **joint** pre-hearing statement that  
20 any deposition not listed as provided herein will not be allowed, absent good cause."

21 **F. ESTIMATED LENGTH OF HEARING**

22 No more than 1 hour (Doc. 218).

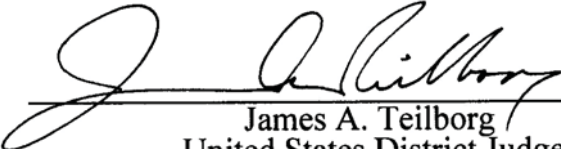
23 **G. PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW**

24 Each party shall submit **separate** Proposed Findings of Fact and Conclusions of Law  
25 by the same date the **joint** pre-hearing statement is due. The Proposed Findings of Fact and  
26 Conclusions of Law shall be submitted by: 1) electronically filing a notice of filing the  
27 proposed findings of fact and conclusions of law with the Clerk of the Court; 2) mailing a  
28 paper copy (three-hole punched) to chambers; and 3) e-mailing a WordPerfect® 9.0

1 compatible copy to the chambers' e-mail address.<sup>3</sup> Additionally, Plaintiff shall submit a  
2 proposed contempt order.

3 **IT IS FINALLY ORDERED** that the parties shall confer and by **December 9, 2011**,  
4 file a notice proposing at least two dates (beginning on a Tuesday) in April and/or May of  
5 2012 on which they would be prepared to go to trial. This notice shall also include an  
6 estimated length of trial.

7 DATED this 21st day of November, 2011.

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12 James A. Teilborg  
13 United States District Judge  
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<sup>3</sup> Teilborg\_chambers@azd.uscourts.gov