

JURY TRIAL PREPARATION ORDER

The Court issues the following ORDERS pursuant to TRCP, Rule 166:

Objection to the Associate Judge presiding at the jury trial should be made **before** the start of the Pretrial Conference. If the parties wish to proceed with jury trial before the Associate Judge, it will be necessary to waive objection in writing **prior** to the Associate Judge commencing the Pretrial Conference.

All items/matters listed below SHALL be exchanged/filed/completed at least **three (3) days before the Pretrial Conference**. Counsel are ordered to bring copies of all items listed below to the Pretrial Conference, including courtesy copies for the Court.


1. **Party/Attorney List**. Names, addresses, and phone numbers of each party, pro se party, and attorney involved in the case.
2. **Statement of Contested Issues**. Each party shall file and exchange a statement of agreed and contested issues in the case, including identification of contested issues to be determined by the Jury and contested issues to be determined by the Court. Counsel should to the greatest extent possible try to reach agreement and written stipulation regarding agreed issues in the case.
3. **Witness List**. A witness list is REQUIRED. The witness list shall include the names, addresses, and telephone numbers of any person expected to testify, including expert witnesses, and a brief statement of each identified person's connection with the case. Witnesses not properly listed and designated will not be allowed to testify, except in the case of rebuttal witnesses whose testimony cannot reasonably be anticipated.
4. **Exhibit List**. An exhibit list is REQUIRED. All exhibits SHALL be pre-marked and ready for admission, with inadmissible matters redacted. Objections to authenticity SHALL be made at the Pre-Trial Conference. Objections not timely made are waived. Exhibits not listed will not be admitted in evidence, except for good cause shown.

Counsel should to the greatest extent possible try to reach agreement and a written stipulation as to authenticity and admissibility of exhibits to be introduced at trial.

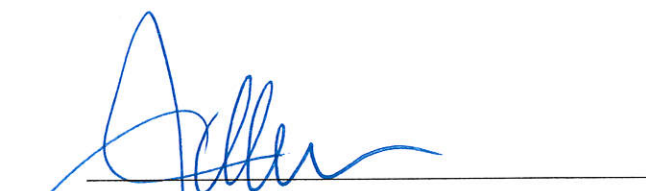
5. **Draft Jury Charge**, including all requested questions, instructions and definitions (preferably in the format suggested by the Texas Pattern Jury Charge) shall be exchanged and filed **before** the Pre-Trial Conference. Modifications may be submitted and considered by the Court as the trial progresses. Counsel should email the Court a copy of the Draft Jury Charge in Word format via email to: 328th@fortbendcountytexas.gov.

6. **Deposition Excerpts and/or Edited Videotapes.** For any deposition testimony to be read to or played by video to the Jury, the parties shall exchange complete deposition offers for each witness, designating the page and line in sequence of any testimony to be offered. A courtesy copy of the page/line designations shall be furnished to the Court and Court Reporter. Objections to deposition offers shall be made at the Pretrial Conference or they are waived.
7. **Motions in Limine.** Motions in Limine shall be timely filed and exchanged prior to the Pretrial Conference, and will be ruled on by the Court at the Pretrial Conference. A courtesy copy of Limine Orders shall be furnished to the Court.
8. **Daubert/Robinson Motions.** Motions to strike expert witness testimony shall be filed and set for hearing at the Pretrial Conference. Failure to comply shall result in waiver.
9. **Trial Scheduling.** Counsel shall file a statement of the estimated trial length, and potential attorney or witness conflicts or travel difficulties.

ORDERED July 2, 2021.



Walter G. Armatys
Presiding Judge, 328th District Court
Fort Bend County, Texas



John R. Millard
Associate Judge, 328th District Court
Fort Bend County, Texas