

TRIAL & CASE MANAGEMENT PROTOCOL FOR JUDGE KRISTIN G. FARMER

1. **ALL ATTORNEYS SHALL HAVE THEIR CLIENTS, AGENTS, OR REPRESENTATIVES WITH COMPLETE SETTLEMENT AUTHORITY PRESENT IN PERSON AT THE FINAL PRETRIAL UNLESS SPECIFICALLY EXCUSED BY THE COURT.** The final pre-trial will be held on the Fourth Floor of the Stark County Courthouse.
2. Continuances will not normally be granted for the trial date.
3. **EXPERT DEADLINES:**
The Court expects the parties to exchange expert reports on or before the established expert deadline. The parties are also directed to file a notice with the court indicating that the report has been provided to opposing counsel.
4. **DISPOSITIVE MOTIONS:**
The Court will hold a **NON-ORAL** hearing on the motion on the day following the filing of the Responsive Brief unless otherwise ordered by the Court. This hearing is non-oral and your presence is not required. The Court will rule on the briefs properly filed. An oral hearing will only be granted on a showing of special circumstances, which make an oral presentation necessary in the interest of justice. A motion indicating such special circumstances will be required.

The following orders apply to this matter:

1. **The failure to appear at any pretrial conference or hearing may result in adverse judgment being entered against the party not appearing or in default judgment being rendered, wherever appropriate.**
2. **All required court cost deposits must be paid within FIVE (5) days of the date of this entry. Should complete court costs not be paid as required, the Court, without further hearing, may dismiss this matter for want of prosecution. Should costs not be paid for a jury demand, the Court will strike the jury demand. Plaintiff and defendant shall both be responsible for checking the docket and securing the payment of costs necessary for a jury demand. The fact that one party has made a jury demand does not act as a valid jury demand unless the court costs have been paid as required by this order.**
3. The Court intends to order those persons required to serve jury duty to be summoned by the Jury Commissioners no later than 1:00 p.m. the

Thursday preceding the week of trial. If the matter is resolved after that time, counsel are required to notify the Court immediately or costs of summoning jurors shall be taxed as costs. **THERE SHALL BE NO SETTLEMENT NEGOTIATIONS ON THE DAY OF THE COMMENCEMENT OF TRIAL.**

4. Transcripts of video depositions to be used at trial, along with objection logs stating the reasons for each objection and citations of any relevant authority, motions in limine, proposed jury instructions, and jury interrogatories shall be filed on the day of the Final Pretrial, unless leave is granted otherwise. Copies shall be delivered to chambers. **Failure to file such will result in waiver of same. The failure to timely file transcripts of video depositions, along with objections logs as required by the order, may result in the exclusion of such deposition from trial.**
5. Proposed jury instructions and jury interrogatories shall be provided to the Court electronically by emailing same to Magistrate Lori Flowers at laflowers@starkcountyohio.gov.
6. Counsel shall confer at least TEN (10) days prior to the scheduled Final Pretrial to determine whether they can enter into stipulations relative to the facts or issues. Any such stipulations shall be submitted in writing to the Court no later than the date of the Final Pretrial.
7. In the event that parties cannot agree to stipulations, no later than **THREE (3)** days prior to the date of the Final Pretrial, counsel shall submit a written statement setting forth that they have conferred, and they cannot agree on any stipulations.
8. **ONE (1)** copy of all exhibits proposed to be introduced at trial, along with an index of the exhibits containing a brief description of such exhibit, shall be furnished to the Court no later than **TWO (2)** working days before the scheduled trial date.
9. Counsel shall exchange copies of all exhibits and exhibit indexes no later than **TWO (2)** working days before the scheduled trial date.
10. All exhibits shall be marked before trial with official exhibit stickers. The Plaintiff shall mark exhibits with numbers and the Defendant shall mark exhibits with letters. If there are multiple parties, numbers or letters shall be used followed by the party's last name (i.e. "1-Miller," or "A-Jones"). If the Defendant has more than twenty-six (26) exhibits, double letters shall be used (i.e., AA, BB, CC, etc.).
11. Counsel shall confer and agree upon a short statement of the case to be

read by the Court to the jury during jury selection. Said agreed upon statement shall be submitted to the Court at least TWO (2) working days before the scheduled trial.

12. **Counsel shall file trial briefs at least ONE (1) week prior to the scheduled trial date listed above.** Trial briefs shall include the following:

- a) a statement of facts;
- b) a discussion of the controlling law;
- c) a list of proposed witnesses, along with a brief description of the subject matter of the testimony of each witness;
- d) an index of all proposed exhibits containing a brief description of each exhibits; and
- e) a discussion of any evidentiary issues likely to arise at trial.

13. **All Civil Rules of Procedure and all Local Rules, not modified by this order, are incorporated herein as if fully rewritten.**