

TRIAL PROTOCOL FOR JUDGE CHRYSSA N. HARTNETT

- 1) **Trial dates** are set on a stand-by basis for the entire week. Any objections to this trial date shall be addressed at the initial pre-trial conference. Normally, settlement discussions will not take place the day of the trial. Exhibits should be marked and ready for use.
- 2) The **final pre-trial conference** will be conducted **IN PERSON**. *All attorneys must have their clients, agents or representatives with complete settlement authority present in person unless specifically excused by the Court.*
- 3) The **initial pre-trial conference** will be **CONDUCTED BY TELEPHONE**. The Plaintiff will initiate the call and will contact each attorney of record or pro se party at the telephone number listed on their pleadings, unless an alternative telephone number is provided in advance of the conference.

Regardless of whether a pre-trial conference is held in person or by telephone, the **attorney of record** is expected to participate. If the attorney of record has a scheduling conflict, that attorney must ensure that another attorney attends on his or her behalf. The chosen representative must have some background knowledge of the case and access to the attorney of record's calendar with the authority to set future dates. Failure to appear at any pre-trial conference or hearing may result in an adverse judgment being entered against the party failing to appear. (See Local Rules 13.04 and 13.05).

All required court costs 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.

- 1) *Experts are to be identified by filing a Notice with the Court.*

The parties are granted leave to set one IME without further order of the Court. Said IME must be completed at least 60 days before the trial, with the report exchanged at least 30 days before the trial.
- 2) The Court encourages the use of Requests for Admission and the Court will consider appropriate sanctions when such requests are not fully and properly answered.

WHILE INDIVIDUAL DOCUMENTS SUBMITTED TO THE COURT MAY BE STAPLED IN THE UPPER LEFTHAND CORNER, MULTIPLE DOCUMENTS SHALL NOT BE STAPLED TO EACH OTHER OR TO THE ENVELOPES THAT ARE SUBMITTED WITH THEM.

TRIAL AND TRIAL FILINGS:

Proposed Jury Instructions: The Court prefers to use OJI instructions where possible. Counsel are to submit a list of proposed OJI instructions, proposed language for any non-OJI instructions (with appropriate legal citations), and interrogatories one week before trial. A courtesy copy should be e-mailed to the Magistrate assigned to the case. (For Magistrate Amanda Paar Conroy, AMPaar@starkcountyohio.gov; for Magistrate Michelle Hay, Mhhay@starkcountyohio.gov.)

Depositions and Objections: One week before trial, counsel must file objections logs to any depositions that will be used at trial. The objections log should include a reference to the portion of the testimony at issue, as well as a brief description of the basis for the objection, and any other information needed for the Court to rule on the objection. Counsel must also file the transcripts at issue. **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.**

Trial Briefs and Motions in Limine: Trial briefs and motions *in limine* should be submitted two weeks before trial, with courtesy copies e-mailed to the magistrate assigned to the case. A courtesy copy should be e-mailed to the Magistrate assigned to the case. For Magistrate Amanda Paar Conroy, AMPaar@starkcountyohio.gov; for Magistrate Michelle Hay, Mhhay@starkcountyohio.gov.)

Exhibits: Plaintiff will mark exhibits using numbers and Defendant will mark exhibits using letters. If there are multiple parties, the party's last name (in addition to the number or letter) will be used. Counsel will share marked exhibits with each other at least two working days before trial.

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