

IN THE CIRCUIT COURT OF MADISON COUNTY, ALABAMA

STANDING PRETRIAL ORDER

JUDGE KAREN K. HALL

(revised 7/30/09)

In all **civil cases** (jury and non-jury), a formal scheduling and/or pretrial conference will not be conducted by the Court unless same is requested by any interested party. In the event a scheduling and/or pretrial conference is requested, same may be conducted by conference call if prior arrangements are made with the Court. Civil jury trial dockets will be published approximately sixty (60) days prior to the trial date.

In all civil cases set for trial before this Court, wherein a specific Scheduling and/or Pretrial Order has not been entered, it is **ORDERED** that each plaintiff and each defendant shall comply with, and shall be bound by, the following:

1. All **amendments** and **requests for mediation** must be filed with the Court no later than forty-five (45) days prior to trial.
2. All **motions**, including **motions for summary judgment**, must be filed with the Court no later than thirty (30) days prior to trial, unless modified so as to prevent manifest injustice. The only exception shall be for **motions in limine**.

The parties are hereby given leave to proceed with further discovery provided that it is completed at least ten (10) days prior to the trial setting.

3. Each party **shall** prepare and exchange witness and exhibit lists at least ten (10) days prior to trial. Each party shall be entitled to inspect and copy any document, exhibit or physical evidence (if capable of photocopying) so listed by another party. **Any documents** so listed **shall be deemed authentic** unless written objections based upon specific grounds are filed no later than three (3) days before the scheduled trial docket call. The preceding sentence does not excuse the necessity of issuing subpoenas for the production of documents needed at trial or for the attendance of witnesses who may be required to overcome objections to evidence on grounds other than authenticity.
 - (a) Documents, exhibits or physical evidence not exchanged under this Order may not be offered in evidence at the trial unless the ends of justice so require.
 - (b) **Before the commencement of the trial, each party shall provide the Court and court reporter with said lists.**

4. Unless the parties agree otherwise, at least sixty (60) days prior to trial, all parties **shall** notify all other parties, in writing, of all expert witnesses to be called at trial **and** shall include **all information** specified (if not already disclosed) in Rule 26(b)(4)(A)(i) of the *Alabama Rules of Civil Procedure*. No expert witnesses, except those so disclosed together with the required information, shall be allowed to testify at trial. Any objections to the qualifications of expert witnesses expected to testify and offer expert opinions shall be filed at the time of the first document exchange.
5. If a jury case, all requested jury instructions **shall** be submitted to the Court (and served upon opposing counsel) **immediately** following opening statements. Requested instructions that would cover matters which could not be reasonably anticipated during the course of the trial **shall** be submitted to the Court (and served upon opposing counsel) prior to closing arguments.
6. If a jury case, *voir dire* examination of jurors' interest in stock or mutual insurance companies will be made by the Court.
7. Unless the parties agree otherwise, all time periods specified in this pre-trial order are to be construed to comply with Rule 6(e) of the *Alabama Rules of Civil Procedure*, so that lists, documents or exhibits, if mailed, shall be mailed three (3) additional days prior to the beginning of any specified period of time.
8. Should a specific scheduling and/or pretrial order be desired by any party, it is the responsibility of the requesting party to confer with all parties and submit the agreed upon order to the Court.

This Order shall govern the proceedings in this cause unless modified so as to prevent manifest injustice.

DONE AND ORDERED this the 30th day of July, 2009.

/s/ Karen K. Hall

Honorable Karen K. Hall
Circuit Court of Madison County