

**STANDING PRE-TRIAL ORDER
FOR CIVIL NON- JURY CASES
JUDGE JAMES P. SMITH**

1. **DISCOVERY:** The parties are given leave to proceed with further discovery provided it is completed at least ten (10) days prior to trial.

2. **EXHIBITS & WITNESSES:** At least thirty (30) days prior to trial, the parties will exchange lists stating the names and addresses of all witnesses and describing all documents, bills, reports, photographs, and other exhibits which they expect to introduce. Copies of such exhibits will be attached to the lists. (Such lists need not include witnesses or exhibits for impeachment purposes. The listing of a witness does not commit a party to have such witness available for trial or to call a witness to testify). Unless otherwise specifically agreed between the parties, the parties shall be precluded from offering any witnesses or exhibits not so identified (other than purely for rebuttal) unless relieved by the Court for good cause shown.

Upon such list being furnished, the other party shall-- except to the extent written notice to the contrary is given within five days thereafter--be deemed to have agreed (for purposes of these actions only) that: the listed exhibits or their originals are authentic and genuine; the listed exhibits or their originals were kept in the ordinary course of business; copies of the listed exhibits may be used at trial to the same extent as originals (without accounting for originals); any photographs so listed fairly and accurately portray the scene therein depicted; and any bills for services or materials are reasonable in amount for services or materials therein billed.

3. **MARKING TRIAL EXHIBITS:** Each party shall mark and number each exhibit and furnish the Court Reporter with a list of exhibits describing each by its corresponding number prior to trial.

4. **AUTHORITY FOR MEDICAL INQUIRY:** The parties are granted the right to inspect and copy all hospital and medical records relative to medical care, treatment, condition, tests, lab work, and history of the parties, together with the right (on advance notice to opposing counsel) to depose and interview--in person or by correspondence--all physicians, administrators, hospital personnel, and/or other personnel in connection therewith.

5. **EXPERT WITNESSES:** At least forty (40) days prior to trial, all parties shall notify all other parties in writing of all persons expected to be called as expert witnesses; state the subject matter on which each expert is expected to testify and a summary of the grounds for each. (Such disclosure does not apply to lay persons who are expected to testify as to speed of vehicles based on observation of the vehicles while in motion). Unless otherwise specifically agreed between the parties, the parties shall be precluded from offering any expert witness not so identified unless relieved by the Court for good cause shown.

6. **MOTIONS FOR SUMMARY JUDGMENT:** Must be filed no later than forty-five (45) days prior to trial.

7. **MOTIONS IN LIMINE:** To be filed in Judge's Office seven (7) days prior to trial.

Revised 7/7/2009