**CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS**

**STATE OF LOUISIANA**

**NO. DIVISION I-5**

**VERSUS**

**FILED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **DEPUTY CLERK OF COURT**

**NOTICE OF TRIAL**

**AND CASE MANAGEMENT ORDER**

 THE COURT, pursuant to pre-trial conference heldat **M**, issues the following Notice of Trial and Case Management Order:

IT IS ORDERED that the above-captioned case has been fixed for a  **DAY(S)**

[ ]  **BENCH** [ ]  **JURY Trial commencing at 9:00 am** in New Orleans, Louisiana.

IT IS FURTHER ORDERED that the Conference to select Trial date is set for:

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IT IS FURTHER ORDERED that any pretermitted or deferred Motions in Limine shall be heard on the date fixed for Trial at 9:00am. At the request of either counsel, a pre-trial conference for procedural determinations may be conducted on the date fixed for Trial at 8:30am

IT IS FURTHER ORDERED that the following discovery deadlines shall apply in this matter:

Plaintiff(s) to send defendant(s) a list of witnesses, experts and exhibits (supplementing as necessary and reasonable prior to the discovery cutoff). *Courtesy copies shall be provided to the Court contemporaneously via email.*

Defendant(s) to send plaintiff(s) a list of witnesses, experts and exhibits (supplementing as necessary and reasonable prior to discovery cutoff). *Courtesy copies shall be provided to the Court contemporaneously via email.*

 Plaintiff(s)’ expert reports must be produced.

 Defendant(s)’ expert reports must be produced.

 Discovery completed.

All discovery subpoenas must be issued within a sufficient period of time in advance of the cut-off date, so that it may be completed by the cut-off date, taking into account the times for service, notice, and response as set forth in the Louisiana Rules of Civil Procedure. Counsel shall promptly and in good faith meet and confer with regard to all discovery disputes. **Counsel may extend the discovery deadline for a specific discovery procedure by written agreement.**

IT IS FURTHER ORDERED that the parties shall abide by the following case filing orders:

1. All witness and exhibit lists are to be filed **at least 90 days before the date set for trial**. Either party shall then be permitted **thirty (30) days for supplemental lists** if the evidence is intended solely to contradict or rebut evidence on the same subject matter identified by another party. Witness lists shall indicate “will call or may call” witnesses, as well as “fact or expert” witnesses.
2. Expert designations are to be filed **at least 90 days before the date set for trial**. Either party shall then be permitted **thirty (30) days for supplemental expert disclosure** if the evidence is intended solely to contradict or rebut evidence on the same subject matter identified by another party.
3. Motion deadlines are as follows:
4. To amend pleadings: plaintiff may amend their petition without leave of court at any time before the answer thereto is served. Defendant may amend their answer once without leave of court at any time within ten days after it has been served. Otherwise, the petition and answer may be amended only by leave of court or by written consent of the adverse party. **The Court shall not permit amendment to pleadings less than seventy-five (75) days prior to trial**.
5. For summary judgment: Pursuant to LSA-CCP Art. 966, Motions for Summary Judgment shall be filed and served on all parties **not less than sixty-five (65) days before trial** date and heard more than thirty (30) days after filing and not less than thirty (30) days prior to trial. Opposition to Motions for Summary Judgment shall be filed and served **not less than fifteen (15) days prior to hearing** on the Motion. Any reply memorandum shall be filed and served **not less than five (5) days prior to hearing** on the Motion.
6. Motions to limit and/or motions to exclude expert testimony: (including any Motions in Limine and Daubert motions) shall be filed **not less than sixty (60) days prior to trial** and heard at least thirty (30) days before trial.
7. All other motions except motions in limine: shall be filed **not less than thirty (30) days prior to trial** and heard at least fifteen (15) days before trial.
8. A Joint Pre-trial Outline is due **ten (10) days prior to trial** (a copy of which is available directly from the Division and is reproduced in the forms section of the Division “I” website). A copy of the Outline must be delivered to Division “I” chambers for the Judge and Law Clerk via email.
9. Page Line Designations must also be submitted **ten (10) days prior to trial** with a copy delivered to Division “I” chambers – via email – to the Law Clerk. Counter Page Line Designations must be submitted **five (5) days prior to trial** with a copy delivered to Division “I” chambers – via email – to the Law Clerk.
10. Plaintiff(s) shall submit a list of special damages **seven (7) working days prior to trial**.
11. For JURY TRIALS, Proposed Special Jury Charges and Jury Interrogatories must be hand-delivered to the Court via hardcopy and an electronic copy in Word format must be submitted to the Law Clerk – via email – at **least ten (10) days prior to trial**.
12. For BENCH TRIALS, all parties are required to submit a Quantum Study **48 hours (excluding weekends and holidays) in advance of the trial date**. Parties shall also submit proposed judgments and proposed findings of fact **48 hours (excluding weekends and holidays) in advance of the trial date**. These must be hand-delivered to the Court via hardcopy and an electronic copy in Word format must be submitted to the Law Clerk via email. Do not file these into the record of the Court.

IT IS FURTHER ORDERED that a Pre-Trial Conference with the Court shall be held as follows:

1. In person on  **at 10:30 A .M.**
2. Counsel shall confer no later than **five (5) days prior to the Pre-Trial Conference** to review matters to be discussed at the Pre-Trial Conference and to attempt to resolve any outstanding issues.
3. At the request of counsel, this Conference may be utilized as a Settlement Conference. Such request must be received ***in writing*** no later than **seventy-two (72) hours prior to the Pre-Trial Conference**.
4. When appearing for a Settlement Conference, a mandatory position paper/quantum memo is due **seventy-two (72) hours before the Settlement Conference date**. This should be emailed directly to the Law Clerk, copying all counsel.

IT IS FURTHER ORDERED that failure to comply with discovery, filing, and disclosure deadlines as contained herein may result in exclusion of evidence, witnesses, experts, and striking of pleadings.

IT IS FURTHER ORDERED that the dates and times set forth herein will not be modified except for good cause shown. **Failure to comply with this Case Management Order shall not be deemed good cause for continuing or resetting of a scheduled trial.**

**APPEARANCE AT CONFERENCE:**

**Present:**

**\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_**

**\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_**

 IT IS SO ORDERED in New Orleans, Louisiana this  day of , **202\_**.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**DISTRICT JUDGE LORI JUPITER**

**NOTE**: if any party requires technical services for use at trial (e.g. video display, ELMO interactive document display), that party must contact the Court’s IT Department to complete the Video Service Request form. See www.orleanscdc.com or call 504-407-0380. This must be completed prior to the first day of trial.

By signature of the parties below, mailing of this Notice is hereby waived pursuant to Uniform Rule 9.14, App. 8.

**CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS**

**STATE OF LOUISIANA**

**NO. DIVISION I-5**

**VERSUS**

**JURY CASH DEPOSIT ORDER PURSUANT TO LA.C.C.P. art. 1734.1**

Demand for trial by jury having been made herein and this matter now being set for trial.

**IT IS ORDERED** that the party requesting a jury trial shall make a cash deposit with the Clerk of Court in the amount of **$2,000.00** for the first day of trial and **$700.00** for each additional day the trial is expected to last. This sum shall be deposited **NO LATER THAN** (60) days prior to trial. Trial is set for the **\_ \_**day of , 20and is scheduled to last days.

**In the event the case is settled, the party depositing the funds shall receive a refund of this deposit as follows:**

1. All funds less **$1500.00** shall be refunded, only if the court is notified, in writing, **60 (sixty)** days in advance of trial, indicating that the case is resolved or will proceed to a trial by judge;
2. If the case settles within the dates the trial was scheduled to proceed, the court shall cast the party requesting the jury trial an additional **$320.00** in jury costs.
3. If the case proceeds to trial by jury, the remaining funds on deposit shall be used to pay all jury costs. The court may require an additional deposit for costs as needed.
4. The above deposit schedule only applies to the calling of a standard venire. In the event that the case requires more potential jurors because of the length of the case or other factors, the Court may require additional costs to be posted.

This Order supersedes any prior Jury Order issued in the matter. The Court certifies that a copy of this Order has been served upon counsel of record and/or parties by hand delivery or by mail.

 IT IS SO ORDERED in New Orleans, Louisiana this  day of , **202\_**.

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**Adopted: April 6, 2021 Effective: Immediately**