

Trial and Evidentiary Hearing Procedures

Honorable Philip H. Brandt
Courtroom #1539

During the week prior to trial, Judge Brandt may move the starting date and time of a particular trial. Judge Brandt's Courtroom Deputy, Sonny Milano, will advise parties of any such change by telephone. Parties will be cautioned to be prepared to adjust their schedules accordingly. The first trial of the week will begin promptly on Tuesday morning, Judge Brandt will expect counsel and witnesses to be available on 2-3 hours telephonic notice for the remainder of the week.

Conduct at Trial: Judge Brandt will follow the procedures established by the referring case judge aside from the following:

- (A) Trial briefs and any Motions in Limine, etc., shall be filed 14 days before the date of trial.
- (B) Direct Testimony shall be by declaration and filed 14 days before the date of trial.
- (C) Responses shall be filed 7 days before the date of trial.

Exhibits: Per Local Bankruptcy Rule 9070-1(a)(2):

- 1) Plaintiff's/Movant's exhibits must be identified with numbers.
- 2) Defendant's/Respondent's exhibits must be identified with letters.

Exhibit Tags: All parties presenting exhibits have the responsibility to tag their own exhibits **before** the start of trial. Exhibit tags may be obtained from the courtroom deputy or the court recorder prior to the trial date.

Copies: At least seven (7) days before trial, each counsel shall deliver to chambers the original and one copy of a notebook containing trial exhibits,

including an exhibit register on the form available from the Clerk's Office. On the date of trial, each counsel shall bring at least three (3) copies of exhibits.

Continuance/Postponement of Trial: Motions/Stipulations for continuance of trial must be submitted in writing at least seven (7) days prior to the scheduled trial date. The parties will be contacted by the judge's courtroom deputy as to whether the continuance has been granted or denied.

Settlement: In the event of a settlement prior to trial, the parties shall **immediately** contact and advise the judge's courtroom deputy, and **unless** a stipulated judgment or dismissal of all causes of action is lodged not less than 2 court days before the time set for trial, shall appear at the time set for trial and put the settlement on the record.