

JUDGE ZURZOLO'S PROCEDURES:

TRIALS and EVIDENTIARY HEARINGS

If these instructions are not followed explicitly, sanctions may be imposed.

Updated December 2018

A. BRIEFS

- (1) **LBR Reference** Please comply with LBR **9013-2**
- (2) **Judge's Copy** * Please comply with LBR 5005-2(d)
 * Please comply with Court Manual Sections 2-5(d), 3-5(b)
 and Appendix F

B. EXHIBITS and TRANSCRIPTS

(1) **Exhibits Included with a Filed Document**: Identification

- (a) **LBR References**: LBRs **9070-1(a)(1)-(2)**, **9013-1(c)(3)** and **9013-1(i)** apply, including filing, attaching, and authenticating exhibits with appropriate certifications and/or declarations under penalty of perjury.
- (b) **Exhibit Tabs**: Per LBR 9070-1(a)(2), exhibits submitted with a filed document, including a pre-trial stipulation, must be marked with exhibit tabs as follows:
- * **Numbers**: plaintiff/movant's exhibits must be marked with numbers in increasing order
 - * **Letters**: defendant/respondent's exhibits must be marked with letters in alphabetical order.

(2) **Exhibits Presented During a Trial or Evidentiary Hearing**: Register, Tabs

- (a) **LBR References**: LBR **9070-1(a)(3)**, **(4)**, **(5)** apply
- (b) **Exhibit Register**: Per LBR 9071-1(b)(3), all parties presenting exhibits during a trial or evidentiary hearing must prepare an exhibit register on Form B 3024 "EXHIBIT REGISTER AND NOTICE RE DISPOSITION OF EXHIBITS" available on the court's website, www.cacb.uscourts.gov, under "Court Forms"
- (c) **Exhibit Tags**: Per LBR 9070-1(a)(4), All parties presenting exhibits have the responsibility to tag their own exhibits prior to the start of trial.
* Plaintiff's exhibit tags – use LBR form F 9070-1.TAG.PLAINTIFF
* Defendant's exhibit tags – use LBR form F 9070-1.TAG.PLAINTIFF
- (d) **# of Copies**:
* Please bring **one original set** (court recorder)
* Please bring **at least 4 sets of copies** (1/each counsel, 1/judge, 1/witness)

- (3) **Transcripts of Depositions, 2004 Examinations, 341(a) Meeting of Creditors**: Procedures for Lodging, Marking, Countermarking, and Making Objections, when documents are either filed or to be presented at a trial or evidentiary hearing.
- (a) **LBR Reference**: All provisions of LBR **7030-1** apply to depositions, including lodging original and copies of transcripts. Judge Zurzolo extends these provisions to transcripts of 2004 Examinations and 341(a) Meeting of Creditors for purposes of trials and evidentiary hearings over which he presides.
- (b) **Marking and Countermarking Proffered Testimony**: Per LBR 7030-1(b)(2), each party must mark or countermark testimony each party intends to offer from a particular transcript.
- (c) **Marking Objections to Proffered Testimony**: Per LBR 7030-1(b)(3), each party must mark objections to proffered evidence of the other party in the margins of the transcript.