

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF SAN MATEO

,  
  
Plaintiff,  
  
vs.  
  
,  
  
Defendants,

Case No.

**PRETRIAL ORDER FOR  
CIVIL COURT TRIALS**

## INTRODUCTION

1. Parties are ordered to comply with the following deadlines:

EVENT	DEADLINE
Serve (but <u>not</u> file): 1. Proposed motions in limine; 2. Deposition designations; 3. Proposed witness lists; and 4. Proposed exhibit lists.	At least 42 days before the Pretrial Conference
Meet and confer regarding pretrial conference – including motions in limine, deposition designations, and witness and exhibit lists	At least 35 days before the Pretrial Conference
File and serve motions in limine and oppositions to motions in limine	At least 21 days before the Pretrial Conference
File joint pretrial conference statement with: 1. Proposed statement of the case; 2. Witness lists; 3. Exhibit lists, including any disputed exhibits; 4. Binders with motions in limine, oppositions, and supporting declarations or requests for judicial notice; and 5. Deposition designation and objections	At least 14 days before the Pretrial Conference
Pretrial Conference	At least 14 days before the Trial Date
Deliver three (3) sets of trial exhibits in binders and on thumb drive to the Court	At least 7 days before the Trial Date

2. The parties must make every reasonable effort to resolve pretrial and trial issues as early as possible. While the Court understands that trials can be unpredictable, parties are expected to frontload all evidentiary and legal disputes to the greatest extent feasible. Issues raised for the first time on the eve of trial or during trial unnecessarily burden the Court's resources and are strongly disfavored. With this understanding, **All deadlines and requirements in this order may be modified at the Court's discretion AND do not apply to expedited proceedings, such as unlawful detainer actions.**

### MOTIONS IN LIMINE

3. The parties are encouraged to resolve as many trial issues by stipulation as possible. The parties shall meet and confer no later than 35 days before the Pretrial Conference to determine whether any evidentiary issues may be resolved by stipulation. No party may file a motion in limine without first making a good faith effort to resolve the evidentiary issue with the opposing party.

4. Motions in limine and their oppositions must be filed no later than 21 days before the Pretrial Conference. No replies will be permitted without leave of the Court.

5. Each party must submit a tabbed binder with its motions in limine in numerical order with the opposition immediately behind the motion within the same tab. Any declarations or requests for judicial notice submitted by the parties in support of or in opposition to the motions in limine along with any attached exhibits must be submitted in a separate tabbed binder. The binders must be submitted to the Court with the Joint Pretrial Conference Statement.

6. Each motion in limine should address a single, separate topic and shall be limited to five (5) pages in length unless otherwise permitted by the Court. Each motion should be clearly identified as "\_\_\_\_\_'s Motion in Limine No. \_\_\_\_ Re: \_\_\_\_\_."

7. Each opposition is also limited to five (5) pages in length unless otherwise permitted by the Court.

8. Each party shall file only one (1) declaration and/or one (1) request for judicial notice to support all motions in limine and one (1) declaration and/or one (1) request for judicial notice to support all oppositions to motions in limine. The parties do not have to include a copy of the operative complaint.

9. Each party shall also submit a hard copy and a Word version of all proposed orders. Each proposed order must provide enough specificity so that a witness will be able to understand what testimony is prohibited.

10. The motions shall be heard at the Pretrial Conference or at such other times as the Court may direct.

### WITNESS LISTS

11. Each party must file a list of all the witnesses that the party intends to call at trial with the Joint Pretrial Conference Statement.

12. The witness list, an example of which is depicted below, must be in tabular form and contain the following:

- a. Name of the witness;
- b. Title of the witness, if any;
- c. Brief description of the subject matter of the witness' anticipated testimony; and
- d. Estimated length of the direct examination, cross-examination, re-direct and re-cross.

	Witness	Title	Testimony	Time
1.	Allan, Joe	Plaintiff's father	Collision	0.5 hrs
2.	Blake, John, M.D.	Treating neurosurgeon	Past and future treatment; costs	1 hr
3.	Coi, Lawrence	CHP Officer	Collision	0.5 hrs

13. **Any witness who is not identified on a party's witness list is subject to exclusion in the reasonable exercise of the Court's discretion.**

### TRIAL EXHIBITS

14. Each trial exhibit shall be clearly pre-marked with the trial exhibit number. The defendant's exhibit numbers shall be sequenced to begin after the plaintiff's exhibit numbers.

15. Exhibits shall be numbered. NO letters may be used. The parties must agree on a block of numbers to fit the needs of the case (e.g., the plaintiff has exhibits 1-100; the defendant has exhibits 101-200) and make a good faith effort to avoid marking the same exhibit in their respective blocks. If

the exact same exhibit is marked by more than one party, then the defendant shall withdraw the duplicative exhibit (but should not renumber its portion of the exhibit list). If there is any dispute over which portions of an overlapping exhibit should be introduced into evidence, the parties shall meet and confer in an attempt to informally resolve the issue. If the parties are unable to informally resolve the dispute, then each party shall submit its disputed exhibit with the Joint Pretrial Conference Statement and explain, in no more than one double-spaced page, why the Court should use its proposed exhibit.

16. To avoid any party claiming “ownership” of an exhibit, all exhibits shall be marked and referred to as “Trial Exhibit No. \_\_\_\_” – and NOT as “Plaintiff’s Exhibit” or “Defendant’s Exhibit.”

17. Each party must file an exhibit list identifying all the exhibits that the party intends to introduce at trial with the Joint Pretrial Conference Statement.

18. The exhibit list, an example of which is depicted below, must be in tabular form and contain the following:

- a. Exhibit number;
- b. Brief description of the exhibit (with any bates numbers if they exist);
- c. Sponsoring witness;
- d. Date marked for identification (left blank); and
- e. Date admitted into evidence (left blank).

No.	Description	Stipulation	Witness	Date marked	Date admitted
1.	Photo, Honda, bumper, DEF0052	Yes			

19. Each party must provide the Court with three complete hard copy sets of exhibits that the party intends to introduce at trial tabbed binders and on a thumb drive at least seven (7) days before the Trial Date.

20. Each page of each exhibit must be bates-stamped for identification.

21. Each party is expected to place the official exhibit stamp on each document. The exhibit tabs may be obtained from the courtroom clerk.

22. **Any exhibit that is not identified on a party’s exhibit list is subject to exclusion in the reasonable exercise of the Court’s discretion.**

## DEPOSITION DESIGNATIONS

23. If any party wishes to designate deposition testimony in lieu of live testimony for any witness (other than those used for impeachment), then that party must provide their proposed designations to the opposing parties at least 42 days before PTC. Parties then must meet and confer on the designations and are encouraged to resolve as many disputes over the designations by stipulation as possible.

24. The parties must file a joint pleading with their proposed deposition designations, any objections to those designations, and any responses to those objections, at least 14 days before the PTC. Objections or responses may be no longer than one page. The parties are welcome to use the following format:

### 1. John Smith, October 5, 2025

Defendant Designation	Objection/Response	Ruling	Counter Designation	Objection/Response	Ruling
1:5 – 2:5	None				
3:5 – 3:10	Hearsay Response: Declaration against interest. §1230		4:2 – 4:8	Hearsay Response:	
6:2 – 6:23	None				
8:12 – 10:21	None				

25. The parties must also submit to the Court joint tabbed binder(s) with the proposed deposition designations. Each tab should represent the testimony of a single witness. The proposed deposition designations must be highlighted in yellow with any objections bracketed in red. The binders must include the pleading with the proposed designations and objections.

26. Absent good cause, the deposition testimony of each witness shall be introduced only once. In other words, all deposition designations shall be presented together all at once rather than as part of each party's case.

27. **Any witness who is not identified on a party's witness list or any deposition testimony that has not been submitted to the Court is subject to exclusion in the reasonable exercise of the Court's discretion.**

## MEET AND CONFER

28. Each party must serve (but NOT file) at least 42 days before that Conference its proposed motions in limine, proposed witness list, and proposed exhibit list. **Anything that is not included in these served documents – i.e., motions in limine, witnesses, or exhibits – may be subject to denial or exclusion in the reasonable exercise of the Court’s discretion.**

29. All parties must meet and confer regarding motions in limine, jury instructions, verdict form(s), jury questionnaire (if any), a statement of the case, witness and exhibit lists, a pretrial conference statement (if required), and any other issues that may arise at trial no later than 35 days before the Pretrial Conference. The meet and confer must include discussions in person or by video conference. The Court expects meaningful meet and confers in accordance with the following guidelines available at [http://www.calbar.ca.gov/Portals/0/documents/ethics/Civility/Atty-Civility-Guide-Revised\\_Sept-2014.pdf](http://www.calbar.ca.gov/Portals/0/documents/ethics/Civility/Atty-Civility-Guide-Revised_Sept-2014.pdf).

30. During the meet and confer, the parties must engage in a good faith effort to:

- a. Resolve any issues raised in the motions in limine;
- b. Resolve any disagreements over witnesses and exhibits to be introduced at trial; and
- c. Stipulate to any relevant facts that can be incorporated into the record without supporting testimony or exhibits.

31. Wherever possible, the parties shall stipulate to the admissibility of any exhibits. If a stipulation is not possible, then the parties shall make every effort to stipulate to the authenticity and foundation for an exhibit absent a legitimate objection.

## PRETRIAL CONFERENCE STATEMENT

32. The parties shall file a Joint Pretrial Conference Statement at last 14 days before the Conference that contains the following:

- a. **Substance of the Action:** A brief description of the parties, the claims and defenses that remain to be decided (including whether any issues are for the Court to decide rather than the jury), and the operative pleading, including the date of filing, that raises these claims and defenses.
- b. **Relief Requested:** A detailed statement of all requested relief that itemizes all elements of damages that are claimed.

- 1 c. Undisputed Facts: A plain and concise statement of all relevant facts to which the  
2 parties will stipulate for incorporation into the record without supporting  
3 testimony or exhibits or that are undisputed.
- 4 d. Settlement Discussions: A brief description of the efforts the parties have made to  
5 settle the case and a brief statement about whether the parties believe that further  
6 negotiations are likely to be productive and what, if anything, would facilitate  
7 settlement.
- 8 e. Estimate of Trial Length: An estimate of the number hours needed for the  
9 presentation of each party's case.
- 10 d. Miscellaneous: Any other matters that will facilitate the just, speedy, and efficient  
11 resolution of the case.

12 33. The parties shall include the following documents in accordance with this order with  
13 their Joint Pretrial Conference Statement:

- 14 a. Each party's witness list; and
- 15 b. Each party's exhibit list, including any disputed exhibits; and
- 16 c. Binders containing the party's motions in limine, any oppositions, and any  
17 supporting declarations or requests for judicial notice in support of or opposition  
18 to the motions.

19 34. The parties shall also email the proposed orders in Word format to the Court.

### 20 PRETRIAL CONFERENCE

21 35. A Pretrial Conference has been scheduled for \_\_\_\_\_ at 9:00 a.m. Lead trial  
22 counsel for each party **must appear in person.**

- 23 36. At the Pretrial Conference, each party should be prepared to argue and discuss:
- 24 a. Motions in limine;
- 25 b. Witnesses;
- 26 c. Exhibits;
- 27 d. Stipulations; and
- 28 e. Any other issues relating to the trial.



### TRIAL AND MSC

37. An in-person court trial is set for \_\_\_\_\_ at 9:00 a.m. and will occur on Tuesday, Wednesday and Friday. All trial counsels for each party are to **appear in person**.

38. A Mandatory Settlement Conference is set for \_\_\_\_\_ at 9:00 a.m. with a judge to be determined. Check the website regularly for updates re mandatory settlement conferences.

### LOCATION

39. Please note the Court is now in **Courtroom L of the South San Francisco Courthouse, located at 1050 Mission Road, South San Francisco, CA 94080**. Any hardcopy materials for the Court, including pretrial materials, should be delivered there.

### COURT REPORTER

40. Parties must abide to Local Rule 2.12 which provides the parties must make a formal request for a court reporter at least ten days prior to the trial. If the court is unable to provide a court reporter, then parties must obtain their own reporter for trial. For more detailed information, please visit the court's website. [Privately Retained Court Reporting In Civil And Probate Proceedings Effective January 1, 2023 | Superior Court of California | County of San Mateo](#)

Dated: \_\_\_\_\_

\_\_\_\_\_  
Hon. Amarra A. Lee  
Judge of the Superior Court