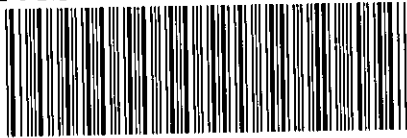


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FILED  
DEPT. 6  
IN OPEN COURT  
AUG 2 2017  
Pierce County, Clerk  
By \_\_\_\_\_  
DEPUTY

**IN THE SUPERIOR COURT OF WASHINGTON, COUNTY OF PIERCE**

LINCOLN GLENISTER,  
Plaintiff(s),

vs.

BOARD OF DIRECTORS OF SILVER  
CREEK ASSOCIATION,  
Defendants(s).

**Cause No. 16-2-12121-2**

**PRETRIAL ORDER**

**PLEASE READ CAREFULLY**

**The Court makes the following pretrial order regarding the above matter:**

IT IS ORDERED that **Motions in Limine** will be noted and heard on the first day of trial, with 6 working days notice as provided by the Pierce County Local Rules. Working copies are due to the Judge on the same date as the Motions in Limine are filed. The parties must e-file the Note for Motion Docket with the date for hearing as the first day of trial and the words "special set - first day of trial" next to the date.

IT IS ORDERED that all **Trial Briefs** and for **jury trials** an **agreed neutral statement of the case** are due two Court days prior to the trial date. Working copies must be provided to the Court.

IT IS ORDERED that **Deposition designations (if applicable)** are due 6 Court days prior to trial with counter-designations due 3 Court days prior to trial. Working copies must be provided to the Court by all parties. A copy of the deposition to be

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redacted will be provided to the Court by the party initially designating, with all proposed redactions highlighted.

IT IS ORDERED that **exhibits** are due on the first day of trial. All exhibits will be marked by the Judicial Assistant. **Each exhibit should be stapled together** so as to keep all pages of the exhibit together. **All exhibits should be redacted of personal identifying information including *Social Security Numbers, dates of birth, financial account numbers, insurance claim numbers, etc.*** Exhibit numbers may **only be used once per trial (Plaintiff 1 / Defendant 1, etc. is NOT allowed)**. If you choose to put the exhibits in binders, each document should still be stapled together. **Please provide an extra working copy of exhibits for the Judge.** Counsel should confer regarding their proposed exhibits prior to preparing the Joint Statement of Evidence designating their Exhibits.

IT IS ORDERED that **Counsel for the Plaintiff shall email or call** the Judicial Assistant at [irocke1@co.pierce.wa.us](mailto:irocke1@co.pierce.wa.us) or (253) 798-7502 to advise the status of this case no later than **five Court days prior to trial**.

IT IS ORDERED that for **NON-JURY TRIALS** counsel for all parties shall submit **on the first day of trial proposed Findings of Fact and Conclusions of Law and Judgment or Order**.

IT IS ORDERED that **Jury Instructions** for all **JURY TRIALS** are due on the **first day of trial** and should be assembled in the following manner:

**Font Size and Font Type:** All jury instructions should be prepared in **TIMES NEW ROMAN FONT, 12 POINT** and **DOUBLE SPACED**.

**Cited Copies:** Original to be filed with the Judicial Assistant, one copy for each party and a bench copy for the Judge. All cited copies should be numbered consecutively prior to submitting them to the J.A. for filing and should contain a cover sheet indicating

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which party is submitting the instructions. These instructions should be double spaced, printed on plain white paper and stapled.

**Uncited Copy:** One uncited copy of the jury instructions should be submitted to the J.A. on the first day of trial and should be in the same sequence as the cited set but **are not numbered and are not stapled.** The jury instructions should be double spaced and printed on plain white paper. The cover sheet should indicate "uncited."

**Supplemental Instructions:** All supplemental instructions should be **submitted in the same format as indicated above** for cited and uncited copies, and should always have a cover sheet indicating, for instance, "Defendant's First Supplemental Proposed Instructions to the Jury." Each additional supplemental set should indicate which version it is, second, third and so on. All "cited" supplemental instructions should be numbered beginning where the last number left off, even if the instruction is a modified version of an instruction previously submitted.

**Please note:**

1. Any reference to "Bailiff" in the pattern instructions **should be changed to "Judicial Assistant"**.
2. The instructions should not have a title at the top of the document other than the "Instruction No. \_\_\_\_\_."
3. During trial, the party submitting the proposed instructions should be prepared and is responsible for making any changes to their proposed jury instructions.

IT IS ORDERED that this Pretrial Order shall apply to any trial date issued by the Court and does not change should a continuance of a trial date occur.

**ADDITIONAL INFORMATION**

**Joint Statement of Evidence:** The Court expects Counsel to abide by the case schedule deadline for filing of the Joint Statement of Evidence.

**Alternative Dispute Resolution:** The Court expects counsel to abide by the case schedule deadline for filing of the Certificate or Declaration of Alternative Dispute Resolution.

**Electronic Equipment:** The courtroom is equipped with an Elmo/projector, speaker, DVD and VHS players, large screen, and the capability of hooking a laptop to

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the projector. The appropriate cable for the laptop must be provided by counsel.

Please note: Operation of the above equipment is the sole responsibility of the party wishing to use it and not the responsibility of the Judicial Assistant.

**Availability of Trial Department/Trailing:** If, on the date of trial, the Court is currently engaged in another ongoing trial, or there is a trial with a priority status scheduled to begin that day, at the Court's discretion, the following procedure may be used to locate a Department for trial:

1. Trial in assigned trial department;
2. Reassign trial to another one of the four civil departments, if available;
3. Contact CDPJ to determine whether a criminal department is open for a civil trial;
4. Continue trial in originating department.

**Notice of Settlement:** Should your case settle at any time prior to your trial date, you should immediately file a "Notice of Settlement" in conformance with the format provided in the local rules.

**All parties and counsel should report to the assigned Judge no later than 8:50 AM on the date of trial ready, with witnesses scheduled.**

**Working Copies:** It is the responsibility of counsel to see that working copies are provided to the Judge in a timely manner. The Court does not accept working papers by fax or by email to the Department.

DATED: August 21, 2017.

*Jack Nevin*  
\_\_\_\_\_  
JUDGE JACK NEVIN



cc by email: Jason Whalen, Attorney for Plaintiff(s)  
Whitney Smith; Gabriella Wagner, Attorneys for Defendant(s)