

# PRETRIAL DEADLINES FOR CIVIL CASES

Before the Honorable Martha Vázquez

## PLEASE NOTE:

- 1) Throughout these instructions, the term “trial” refers to commencement of the trailing docket. Therefore, all dates operate off of the current jury selection date or date upon which the trailing docket begins. **Counsel must seek leave of Court in the form of a written motion to extend any pretrial deadlines.**
- 2) All deadlines herein are calculated in accordance with Rule 6 of the Federal Rules of Civil Procedure. Where a submission deadline falls on a weekend or a federal holiday, the deadline will be the next working day after the weekend or holiday.

EVENT	DEADLINE	COMMENT
Witness Identification	Thirty (30) days before trial	Witnesses shall be identified to all other parties no later than thirty (30) days before trial and shall comply with this Court’s rules regarding witnesses as set forth in the attached document titled “Preparation for Civil Trials.”
Exchange of Exhibits	Thirty (30) days before trial	The parties shall exchange exhibits no later than thirty (30) days before trial. The exhibits shall be marked and identified prior to trial, with the plaintiff’s exhibits identified on yellow labels by number and the defendant’s exhibits identified on blue labels by letter.
Objections to Exhibits	Twenty-five (25) days before trial	The parties shall file objections to exhibits as follows: 1) identify the exhibit by number or letter; 2) attach a copy of the exhibit, or alternatively, if the exhibit is physical, attach a photograph and/or complete description of the exhibit; and 3) specify the Rule of Evidence or other legal authority upon which the objection is based. In most cases, the Court will consider objections and admit exhibits prior to trial.
Consolidated Witness List	Twenty-one (21) days before trial	The parties shall jointly file a consolidated list of witnesses to be called at trial, which includes: 1) the name of the witness; 2) his or her title and relevance to the case; 3) a brief summary of the witness’s anticipated testimony; and 4) an estimate of the time necessary for counsel for all parties to examine the witness. The order of the witnesses is not binding. However, known witnesses not included in the Consolidated Witness List will not be allowed to testify.

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Consolidated Exhibit List	Twenty-one (21) days before trial	<p>The parties shall jointly file a consolidated exhibit list as follows: 1) identify all exhibits the parties have stipulated to being admissible; 2) identify all exhibits the parties have stipulated to being authentic, but to which there are other objections with the objection stated; and 3) identify all contested exhibits on which the parties could not reach a stipulation.</p> <p>Additionally, the parties shall email a copy of the Consolidated Exhibit List to: <a href="mailto:vazquezchambers@nmcourt.fed.us">vazquezchambers@nmcourt.fed.us</a> in a format compatible with WordPerfect X3.</p>
Motions in <i>Limine</i>	Thirty (30) days before trial	These deadlines do not include <i>Daubert</i> motions. Challenges pursuant to <i>Daubert</i> shall be made by the dispositive motions deadline as set forth in the scheduling order.
Responses to Motions in <i>Limine</i>	Twenty-five (25) days before trial	
Replies to Motions in <i>Limine</i>	Twenty-one (21) days before trial	
Expert Reports	In accordance with Rule 26(a)(2) of the Federal Rules of Civil Procedure	When calling an expert witness, it is the responsibility of counsel to establish his/her qualifications to express an opinion under Rule 702, after which counsel must move for his/her acceptance by the Court as an expert. Further, counsel must inform the Court of the particular field in which counsel offers the witness as an expert. As in other areas, cumulative expert testimony will not be permitted.
Depositions	Twenty-one (21) days before trial	Counsel shall notify opposing counsel and the Court of any intended use of deposition testimony at trial. If a deposition is to be used in part, counsel shall highlight the parts to be used for the Court. The plaintiff will use a yellow marker and the defendant a blue marker. This does not apply to cross-examination or rebuttal.
Deposition Objections	Fifteen (15) days before trial	Counsel shall file any objections to the other party's deposition designations.

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Memoranda of Law	Five (5) working days before trial	The parties shall file trial briefs outlining the basic legal theories, anticipated evidence in support of such theories, and the legal basis of any anticipated evidentiary disputes.
Non-Jury Trials: Findings of Fact	Thirty (30) days before trial	In non-jury trials, the parties shall file findings of fact and conclusions of law, with references to exhibits and proposed testimony. Each party shall also email the proposed findings and conclusion to: <a href="mailto:vazquezchambers@nmcourt.fed.us">vazquezchambers@nmcourt.fed.us</a> in a format compatible with WordPerfect X3.
Joint Jury Instructions and Objections	Thirty (30) days before trial	The parties shall comply with this Court's rules regarding jury instructions as set forth in the attached document titled "Preparation for Civil Trials."
Joint Statement of the Case	Thirty (30) days before trial	The parties must confer and file an agreed upon statement of the case that will be read to the jury panel during jury selection. The statement should contain a clear explanation of the factual and legal issues.
<i>Voir Dire</i> Exchange	Five (5) working days before trial	In the average case, each counsel will be permitted fifteen (15) minutes to <i>voir dire</i> the venire panel. <b>Do not argue the case or cite legal principles in your voir dire.</b> Requested <i>voir dire</i> shall be exchanged between counsel and filed with the Court by the deadline contained herein. If counsel cannot agree on proposed <i>voir dire</i> , any objections must be filed at least three (3) working days prior to trial.
Objections to Opponent's <i>Voir Dire</i>	Three (3) working days before trial	
Courtesy Copies of Exhibits for the Court	Beginning of Trial	The parties shall submit two (2) complete, numbered or lettered courtesy copies of exhibits, in notebooks, to the Court at the beginning of the trial and shall use the ELMO for the presentation of exhibits during trial.