

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA**

**STANDING ORDER FOR ALL CRIMINAL CASES BEFORE
DISTRICT JUDGE JON S. TIGAR**

A. Conformity with Rules

The parties shall follow the Federal Rules of Criminal Procedure, the Criminal Local Rules, and the General Orders of the Northern District of California, except as superseded by this Court's standing orders.

B. Court Schedule

Judge Tigar hears criminal matters on Fridays in Courtroom 6, 2nd Floor, United States District Court, 1301 Clay Street, Oakland, California. Motions, evidentiary hearings, and pretrial conferences are heard at 2:00 p.m. All other matters are heard at 9:30 a.m.

Trials commence on Mondays at 8:00 a.m. and proceed Mondays through Thursdays.

Scheduling questions may be addressed to Courtroom Deputy Mauriona Lee at (510) 637-3547 or jstcrd@cand.uscourts.gov.

All filing deadlines are at 5:00 p.m. unless otherwise ordered.

C. Motions

Motions must be noticed for a hearing in accordance with Criminal Local Rule 47-1. Counsel need not reserve a hearing date in advance. Before selecting a hearing date, however, counsel must consult Judge Tigar's weekly calendar, which is available at <http://www.cand.uscourts.gov/jst>, to determine which dates are available. The Court may reset noticed hearing dates as its calendar requires.

Any party wishing to have motions in limine heard prior to the commencement of trial must file and serve them at least 14 days prior to the pretrial conference. All motions in limine shall be contained in one document, limited to 25 pages, with each motion listed as a subheading.

Oppositions to the motions in limine shall be contained in one document, limited to 25 pages, with corresponding subheadings, and shall be filed and served no later than seven days prior to the pretrial conference. The Court will not consider reply briefs absent prior order on a showing of good cause. The motions in limine will be heard at the pretrial conference, unless the Court sets another time.

D. Footnotes and Citations

Footnotes are often unnecessary and must be employed sparingly. When used, they shall appear in no less than 12-point type. Excessive footnotes will be disregarded.

The Court prefers Westlaw citations for unpublished opinions that are not included in the Federal Appendix.

E. Courtesy Copies and Proposed Orders

The Court requires courtesy copies of pleadings, motions, and related briefing, including attachments, exhibits, declarations, and other accompanying material.

Courtesy copies shall be double-sided and three-hole-punched at the left margin. Courtesy copies of e-filed documents must bear the ECF stamp (case number, document number, date, and page number) on the top of each page. Side tabs, rather than bottom tabs, should be used to separate exhibits.

The quality, condition, and labeling of binders, when used, should be such that the Court can easily identify, review, and transport the binders' contents. Whenever possible, the spine of a binder should not exceed three inches in width, even if that limitation results in the use of more than one binder.

All courtesy copies or hard copies of documents must be lodged with the Clerk's office in San Francisco for delivery to the chambers of Judge Tigar, even if the document is related to a case filed in or pending in Oakland or San Jose.

Electronic copies of proposed orders must be sent in Word format to jstpo@cand.uscourts.gov.

F. Pretrial Conference Statement and Related Filings

The parties shall file a pretrial statement that addresses all items listed in Criminal Local Rule 17.1-1(b).

The parties shall attach to their pretrial statement a joint set of jury instructions ordered in logical sequence and accompanied by a table of contents. The parties shall use the Ninth Circuit Model Jury Instructions whenever possible. Proposed deviations from the model instructions, no matter how minor, must be clearly identified by red-lined copy and supported by authority. The Court discourages the unnecessary submission of special instructions or modification of model instructions. Special instructions, if any, must be complete, accurate, balanced, clear, and non-argumentative. Any instruction to which the parties disagree shall be marked as "disputed" and shall be followed by concise argument and authority in support of and against the use of the instruction.

The parties also shall attach to their pretrial statement a joint list of agreed-upon voir dire questions and a list of any voir dire questions on which they could not agree.

Counsel for the United States shall file and serve a verdict form on the same day as the pretrial conference statement is due.

The parties shall e-mail Word versions of the proposed jury instructions, voir dire, and verdict form to jstpo@cand.uscourts.gov on the same day they file them.

G. Exhibits

At least 21 days before the final pretrial conference, the parties shall exchange copies of all exhibits, summaries, charts, schedules, diagrams, and other similar documentary materials to be used in their case-in-chief, together with a complete list of all such proposed exhibits and any objections to such exhibits. Voluminous exhibits shall be reduced by elimination of irrelevant portions or through the use of summaries. Each exhibit shall be pre-marked with a trial exhibit sticker and not a deposition exhibit label. The sticker shall be in the following format:

United States District Court Northern District of California
DEFENDANT'S EXHIBIT 200
Case No. _____
Date Entered _____
By _____ Deputy Clerk

The parties shall mark their exhibits using non-overlapping ranges of numbers, leaving enough unused numbers that additional exhibits can be marked during trial. For example, the parties might agree that the government will use numbers 001–199 and the defendant will use numbers 200–399.

Following the exchange, the parties shall immediately meet and confer about the exhibits and any potential objections thereto, and shall make a good faith effort to stipulate to exhibits' admissibility. If the parties cannot so stipulate, they shall make every effort to stipulate at least to authenticity and foundation absent a legitimate (not tactical) objection. The Court may inquire about the basis for any or all of a party's objections to another party's exhibits and/or conduct a pre-trial conference to rule on such objections, so as to ensure that the jury's time is not wasted during trial.

Unless otherwise ordered, at least five court days prior to the beginning of trial, the parties shall deliver three sets of all pre-marked exhibits in clearly labeled three-ring binders to the courtroom deputy. The quality, condition, and labeling of the binders should be such that the Court can easily transport and review the binders' contents. Whenever possible, the spine of a binder should not be wider than three inches.

All exhibits that have not been provided as required are subject to exclusion in the reasonable exercise of the Court's discretion.

H. Witnesses at Trial

Unless otherwise ordered, each party shall notify all other parties by the close of each trial day of the witnesses that party intends to call on the following trial day. Failure to comply with this

order may, in the discretion of the Court, be grounds for exclusion of any witness who was not properly disclosed.

Once the cross-examination of a witness has commenced, and until cross-examination of the witness has concluded, counsel offering the witness on direct examination shall not: (a) consult or confer with the witness regarding the substance of the witness's testimony already given, or anticipated to be given, except for the purpose of conferring on whether to assert a privilege against testifying or on how to comply with a court order; or (b) suggest to the witness the manner in which any questions should be answered. Once cross-examination has concluded, counsel is permitted to confer with the witness before redirect examination begins.

I. Transcripts

Any party who would like a daily transcript or real-time reporting must contact Oakland Court Reporter Supervisor Odile Hansen at least fourteen calendar days before the first day of trial at (510) 637-3544 or Odile_Hansen@cand.uscourts.gov.

J. Interpreters

If any witness will require an interpreter at trial and there is no certified court interpreter available to translate in the appropriate language, counsel shall notify Courtroom Deputy Mauriona Lee at least 30 days before the commencement at trial at (510) 637-3547 or jstcrd@cand.uscourts.gov.

Dated: January 29, 2020



JON S. TIGAR
United States District Judge