IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	**CASE NO. 8:13CR105**
	)	
Plaintiff,	)	
	)	**ORDER RE: TRIAL PREPARATION**
vs.	)	**(CRIMINAL JURY TRIAL)**
	)	
TIMOTHY DE FOGGI,	)	
	)	
Defendant.	)	

1. PRETRIAL MOTIONS:

A. Continuance:

Motions to continue trial are referred to Magistrate Judge F.A. Gossett for decision. Any motion to continue trial must be filed electronically, together with a supporting affidavit, as soon as is practicable. The moving party shall send a proposed order to Magistrate Judge Gossett at gossett@ned.uscourts.gov.

B. Evidentiary Hearings:

Please notify my chambers immediately of any pretrial motion requiring an evidentiary hearing outside the presence of the jury. Motions must be in writing and accompanied by supporting affidavits.

2. THE FOLLOWING MATERIAL MUST BE SUBMITTED NO LATER THAN FIVE (5) WORKING DAYS BEFORE THE SCHEDULED DATE OF TRIAL.

A. The following documents shall be **filed electronically** with the Clerk of the Court by government's counsel: trial brief, witness list, exhibit list, proposed jury instructions and verdict form(s). The defendant is encouraged to submit such materials to my chambers as well, and the materials so submitted shall not be disclosed to the government unless the defendant specifies otherwise.

B. In addition, each party's jury instructions, verdict form(s), witness list, and exhibit list shall be e-mailed as attachments in Wordperfect or Word format to the chambers at the following address: smithcamp@ned.uscourts.gov.

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3. DISCOVERY MATERIAL:

A. Depositions:

Proponent: The proponent of a deposition to be used at trial shall deliver a copy of the deposition to my chambers. If less than the entire deposition will be offered, the proponent shall deliver: (1) a list or index designating by page and line(s) the testimony to be offered, and (2) a copy of the entire deposition with highlighted parts to be offered.

Objections: A list or index of objections to another party's designated deposition testimony shall be delivered to my chambers and shall identify by page and line the location of the objection and shall identify the precise nature of the objection.

B. Videotaped Depositions:

Proponent: Videotaped depositions shall be delivered to my chambers as stated in the previous paragraph. The proponent shall provide a transcript with the prospective testimony indexed and highlighted.

Objections: A list or index of objections to another party's designated videotaped testimony shall be delivered to my chambers. The court may require editing of the video tape in response to pretrial rulings on objections.

4. EXHIBITS:

A. Court's Copies:
Each proponent of exhibits shall prepare a three-ring binder containing a copy of each exhibit to be offered. The binder shall be organized by dividers and tabs for quick retrieval of an exhibit during trial, and shall be delivered to chambers no later than five days before the scheduled date of trial.

B. Original Exhibits:
Exhibits shall be properly listed and identified on the exhibit form supplied by the Clerk of Court's Office, also available at the court website: www.ned.uscourts.gov/local/local.html.

C. Marking of Exhibits:
All exhibits must be pre-marked with stickers that indicate whether the government or the defendant is offering the exhibit. The government's exhibits will begin with number "1." Defendant's exhibits will begin with the three-digit number rounded to the next hundred after the government's last exhibit.

5. WITNESS LIST:

A party's witness list shall include the full name and address for each such witness. Witnesses who do not appear to testify when scheduled will be considered withdrawn.

6. REQUESTS FOR INTERPRETERS OR COURTROOM EQUIPMENT:

Please notify the courtroom deputy at least a week in advance if the services of an interpreter will be required for a hearing or trial. Please notify the courtroom deputy before trial if you request the use of the ELMO evidence presenter and also if you need to schedule a time for training. More information is available on the web at www.ned.uscourts.gov. Court Technology installed in Judge Smith Camp's courtroom is as follows: a large flat screen television, attorney & witness screens have annotation abilities, jury box has monitors for viewing evidence, two digital document cameras, video conferencing, telephone conferencing, VCR/DVD player (please check your file types), laptop hook ups in counsel tables, an easel and headsets for the hearing impaired.

7. CONDUCT OF TRIAL:

I will meet with counsel in chambers at 8:30 a.m. on the first day of trial. Trial will commence at 9:00 a.m. each day, unless otherwise ordered. If the defendant elects to change a plea, counsel for the defendant should notify my chambers immediately. The court will conduct a general voir dire examination. Counsel may supplement, but not repeat, the court's voir dire examination. Any suggested questions for voir dire by the court shall be delivered to my chambers. The court may impose a time limit on counsels' voir dire. Examination of witnesses will be by direct, cross, and redirect examination, but not recross unless authorized by the court.

8. PLEA:

It is the responsibility of the counsel for all parties to notify the court immediately of any change of plea. By noon on the Friday before trial is scheduled to occur, counsel for all parties shall contact chambers to receive instructions regarding how to contact the court when the court is not open for business.

SO ORDERED.

DATED this 12th day of August, 2014.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge