

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

KIMBERLY BORGES, :
 :
 Plaintiff, :
 :
 v. : CASE NO. 3:04cv324 (DFM)
 :
 SEABULK INTERNATIONAL, INC. :
 f/k/a HVIDE MERINE INC., :
 et al., :
 :
 Defendants. :

PRETRIAL ORDER

The parties having consented to the jurisdiction of a magistrate judge for trial and the case having been transferred to the undersigned, it is hereby ordered that the parties submit a supplemental joint trial memorandum by **December 28, 2009**. Counsel signing the memorandum must certify that it is the product of consultation between the lawyers who will be trying the case. The joint trial memorandum shall be in the form required by the District of Connecticut's Standing Order Regarding Trial Memoranda in Civil Cases (the "Standing Order"). In addition to the material required by the Standing Order, the memorandum shall include:

a. Witnesses: See Paragraph 10 of the Standing Order. For any expert witness, each party shall set forth the opinion to be expressed, a brief summary of the basis of the opinion and a list of the materials on which the witness intends to rely. If a party objects to all or any part of the anticipated testimony of any witness, lay or expert, the objection and its grounds shall be

set forth in the Joint Trial Memorandum so that the objection can be addressed prior to trial.

a. Exhibits: See Paragraph 11 of the Standing Order. Each party shall list in the Joint Trial Memorandum the exhibits it intends to offer at trial. The plaintiff's exhibits and the defendant's exhibits shall be listed separately. A brief description of the exhibit shall be included. After each exhibit, the parties shall indicate whether they agree that the exhibit may be admitted as evidence. If there is an objection to an exhibit, the proponent of the exhibit must set forth the basis for admissibility of the exhibit and the opponent must set forth the basis of the objection. Except for rebuttal and impeachment, exhibits not listed will not be admissible at trial without good cause shown.

b. Requests for Jury Instructions: See Paragraph 13 of the Standing Order. The parties shall meet and confer for the purpose of preparing and filing agreed upon jury instructions. The proposed jury instructions shall be submitted as an attachment to the Joint Trial Memorandum. The proposed jury instructions should encompass all applicable rules of law. Citations to rules and authority should be provided in footnotes. If the parties cannot agree on a particular instruction, each party shall set forth its own proposed instruction in the joint filing, noting which party has proposed the instruction. The parties are not required to

submit instructions on general issues such as role of the court, role of the jury, witness credibility, etc. Counsel shall submit to chambers a courtesy copy of the proposed jury instructions.

c. Anticipated Evidentiary Problems: See Paragraph 14 of the Standing Order. Any party who elects to file a motion in limine shall file the motion and supporting memorandum of law by no later than **December 28, 2009**.

d. Special Verdict Form or Interrogatories: In jury cases, the parties shall submit as an exhibit to the Joint Trial Memorandum a proposed verdict form suitable for submission to the jury. The form may require the jury to return a special verdict with special findings as permitted by Rule 49(a) or a general verdict with or without written interrogatories as permitted by Rule 49(b). If the parties are unable to agree as to the appropriateness of a proposed form, the objecting party must state the basis for its objection and provide an alternative proposal.

(5) A courtesy copy of the Joint Trial Memorandum shall be submitted to chambers on the day that it is filed.

SO ORDERED this 4th day of December, 2009 at Hartford, Connecticut.

_____/s/_____
Donna F. Martinez
United States Magistrate Judge