



UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
Orlando Division  
Judge Roy B. Dalton, Jr.

## NOTICE TO COUNSEL and UNREPRESENTED PARTIES

### **Instructions Regarding Pre-Marking Exhibits, Preparation of Exhibit Lists, and Substitution of Exhibits:<sup>1</sup>**

In accordance with Rule 3.07(a), Local Rules, M.D.Fla. ten (10) days prior to trial, the parties shall exchange a list of those exhibits they definitely intend to introduce in evidence at trial (the "A" list), and a list of those exhibits they may seek to introduce at trial (the "B" list). Bench books containing the "A" exhibits shall be supplied to the Court (these are the original exhibits which include the appropriate colored exhibit tags, which are party-specific, stapled to the upper right hand corner of the first page - tags can be found at the bottom of the web-page), for the Judge and Witness Box at the outset of the trial, together with an index and matrix reflecting any objections thereto. The bench and witness sets do not require the exhibits tags however counsel shall use number tabs to tab out the exhibits for quick reference. All exhibits on the "A" list of the presenting party which are not objected to shall be introduced and admitted at the outset of that party's case. All exhibits shall be numbered consecutively, preferably with the "A" list exhibits being numbered first. To avoid duplication of exhibits and to prevent confusion in the record, the parties are encouraged to submit all stipulated exhibits as joint exhibits in a single list rather than individually marked by each party. For example, if medical records or contract documents are being stipulated into evidence they should be marked as a Joint exhibit and not listed separately by both (all) parties. Each parties' individual exhibit list would then include only those additional exhibits to which objections have been asserted with the specific objection noted on the exhibit list.

For your convenience, attached are copies of Court-approved Exhibit Tags and Exhibit Lists. Exhibit Tags and Exhibits Lists are self-explanatory; however, if you have any questions, please contact Courtroom Deputy Clerk Virginia Flick at 407/835-4206. Exhibit Lists and Exhibit Tags are readily capable of reproduction. Unrepresented ("*pro se*") parties may obtain additional tags from Ms. Flick.

Counsel and *pro se* parties, if any, are responsible for posting to the attached Exhibit List a complete listing of the exhibit number(s) and a detailed description of each exhibit.

On the first day of trial, counsel and *pro se* parties, if any, shall exchange with each other a copy of their respective Exhibit Lists and their final Witness Lists), **and shall also provide *THREE (3) COPIES of each list to the Courtroom Deputy Clerk*** before the commencement of trial.

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<sup>1</sup> These instructions are not all-inclusive; they are purposely general in nature and intended merely to supplement the Local Rules. Counsel and/or *pro se* parties are responsible to be completely familiar with and fully comply with the Local Rules. *Particular attention* is drawn to Rule 5.03 ("Courtroom Decorum").

**Exhibit Substitutes** – Pursuant to Rule 5.04, Local Rules, M.D.Fla., with respect to sensitive or large physical exhibits (*i.e.*, weapons, narcotics, currency, etc.), you are required to offer photographs which would at the conclusion of the case become the “substitute exhibit” for maintenance by the Clerk. Rule 5.04 also requires 8½” by 11” reductions to be submitted along with larger-sized documentary or similar exhibits. Unless otherwise ordered by the Court, should an appeal later be filed, the Clerk will send the photographic and/or reduced substitutes (in lieu of the original exhibits) to the Eleventh Circuit Court of Appeals in the record on appeal.

**Audio and/or Visual Equipment** Please note that, while the Court has available audio and visual equipment for use during trials (or evidentiary hearings), counsel or the parties shall notify Courtroom Deputy (Virginia Flick) for arrangement therefor. Notice to request equipment shall be given to the Courtroom Deputy at least one week prior to the commencement of trial.