

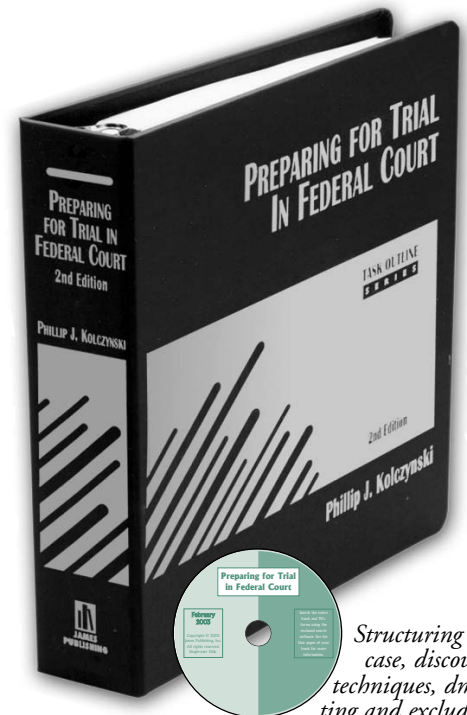
Preparing a Federal Case for Trial: The Last 120 Days

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- ⇒ Structuring the case
- ⇒ Pretrial meetings
- ⇒ Disclosures
- ⇒ Written discovery
- ⇒ Depositions
- ⇒ Discovery problems
- ⇒ Handling experts
- ⇒ Dispositive motions
- ⇒ Settlement and ADR
- ⇒ Witness preparation
- ⇒ Marshalling evidence
- ⇒ Ensuring admissibility
- ⇒ Motions in limine
- ⇒ Pretrial conference
- ⇒ Voir dire
- ⇒ Opening statement
- ⇒ Witness examinations
- ⇒ Trial motions
- ⇒ Closings



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- ⇒ Dispositive Motions & Memoranda
- ⇒ Motions in Limine

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Complete list of forms,
table of contents and
sample pages inside...

Task List

DEADLINES AND ORGANIZATION

In General

Task 1 Audit File and Organize for Trial; **Task 2** Review Deadlines and Rules; **Task 3** Analyze the Pleadings; **Task 4** Create Proof Outline; **Task 5** Develop Case Theme

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Task 6A Seek an Injunction; **Task 6B** Apply for a Temporary Restraining Order; **Task 6C** Seek Declaratory Relief; **Task 6D** Amend Pleadings; **Task 7** Oppose Motion to Amend Pleadings; **Task 8** Sever Claims or Parties; **Task 9** Dismiss Claims or Parties; **Task 10** Move for Separate Trials; **Task 11** Add Counterclaims or Cross-Claims; **Task 12** Implead Third Parties; **Task 13** Add Parties: Mandatory Joinder; **Task 14** Add Parties: Permissive Joinder; **Task 15** Intervene; **Task 16** Dismiss Actions; **Task 17** Consolidate Cases; **Task 18** Transfer Venue; **Task 19** Consent to Magistrate Judge

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APPENDIX

PLAINTIFF'S INTERROGATORIES TO EMPLOYER - TERMINATION OF EMPLOYMENT

IN THE UNITED STATES DISTRICT COURT
FOR THE _____ DISTRICT OF _____

_____, DIVISION _____

(Name of Plaintiff)
Plaintiff _____)

vs. _____)

(Name of Defendant)
Defendant _____)

No. _____
Judge _____

INTERROGATORIES

Plaintiff, _____ (Name of Plaintiff), by and through his/her attorney, _____ (Name of attorney) pursuant to Federal Rules of Civil Procedure 30 and 33, requests that the following Interrogatories be answered, under oath, within thirty days from the date of service hereof.

INTERROGATORY NO. 1: State the name, business address and capacity of the person answering these Interrogatories.

INTERROGATORY NO. 2: State whether the person answering these Interrogatories was involved in any way in the collection of documents provided in response to Plaintiff's Request for Production of Documents served in this case; if your answer is in the affirmative, state whether you received a copy of Plaintiff's document Request, what directions you received and from whom, and whether the directions were oral or written; if your answer is in the negative, state the name, business address and last known home address of the person who collected the information identified above.

INTERROGATORY NO. 3: State, as fully as possible, the exact reason or reasons for the termination of Plaintiff, with regard to the same, identify all persons who were involved in the decision to terminate Plaintiff or who had input with regard to the same, and attach all documents substantiating or having bearing on Plaintiff's discharge.

INTERROGATORY NO. 4: With regard to each person responsible for the decision to terminate Plaintiff, state the person's title and the exact nature of his or her input into the decision.

INTERROGATORY NO. 5: List all persons employed by Defendant as of _____ (date/year); as to each person so listed, state his/her name, position, grade, and salary, whether they had ever filed a workers' compensation case against Defendant, and if so, when.

INTERROGATORY NO. 6: With regard to each person identified in response to Interrogatory No. 5, above, state whether that person has ever been disciplined, suspended or terminated by Defendant, and ending date or dates on which the discipline, suspension, or termination occurred.

INTERROGATORY NO. 7: Describe Plaintiff's job with Defendant, identifying his/her duties and effect covering Plaintiff's job while Plaintiff was employed by Defendant.

INTERROGATORY NO. 8: State whether Plaintiff has ever received any oral or written warnings or oral warning and attach copies of each written warning.

INTERROGATORY NO. 9: Has Defendant ever received any written or oral complaints from customers concerning Plaintiff's performance on the job? If the answer to this Interrogatory is in the affirmative, identify the day, date, time and parties involved in each oral complaint and attach copies of each written complaint.

INTERROGATORY NO. 10: Identify all persons with knowledge of the facts and circumstances surrounding Plaintiff's employment and termination by Defendant, with regard to the same, state each

PREPARING FOR TRIAL IN FEDERAL COURT A-61

Forms.

Completed examples of documents to be filed

About the Author

Phillip J. Kolczynski manages his own firm in Santa Ana, California, specializing in aviation, products liability, and other complex civil litigation involving technical and scientific issues.

Mr. Kolczynski is a former trial attorney in the Aviation-Admiralty Unit of the Torts Branch, Civil Division, U.S. Department of Justice, Washington, DC, and the Office of the Chief Counsel, Federal Aviation Administration, Washington, DC. He has been an associate and partner in large law firms in Washington, DC, and Los Angeles. Prior to law school, he was a U.S. Marine Corps Captain and F-4 Phantom pilot.

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