

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS

GORDON RANDY STEIDL,)	
)	
Plaintiff,)	
)	05-2127
v.)	
)	
CITY OF PARIS, et al.,)	
)	
Defendants.)	

HERBERT WHITLOCK,)	
)	
Plaintiff,)	
)	
v.)	08-2055
)	
CITY OF PARIS, et al.,)	
)	
Defendants.)	

CASE MANAGEMENT ORDER

This combined case is before the court pursuant to Fed. R. Civ. P. 16. Plaintiff Steidl appeared through G. Flint Taylor, Esq., and Janis Susler, Esq. Plaintiff Whitlock appeared through Ronald Balson, Esq., Richard Kling, Esq., and Susana Ortiz, Esq. The defendants appeared through Elizabeth Ekl, Esq., Elizabeth Barton, Esq., Terry Ekl, Esq., Vincent Mancini, Esq., Tracy Stanker, Esq., Heidi Steiner, Esq., Iain Johnson, Esq., Phillip Ackerman, Esq., David Thies, Esq., John Thies, Esq., and Kara Wade, Esq.

These cases are scheduled for trial to begin on October 22, 2012. As reflected in an earlier case management order dated September 23, 2010, the court had determined that the trials would be consolidated and presented to the jury in phases. Steidl has now settled his claims against some of the defendants. As a result, Whitlock is proceeding against approximately twice as many defendants as Steidl. Consequently, consolidating the cases for trial is no longer practical. Each case will now be tried separately, and will not be held in phases. Steidl will proceed to trial on January 14, 2013. Rather than proceed immediately to Whitlock's trial after Steidl's case is concluded, Whitlock's trial will begin on February 25, 2013.

We are going to deal with the pretrial order in phases. The court anticipates that several pretrial conferences will be needed in order to finalize a workable pretrial order. The first such conference is scheduled to begin on November 14, 2012, at 10:30 a.m. by personal appearance.

At that conference, the parties shall bring to court a list of their witnesses and exhibits. Prior to that conference the parties should exchange their witness and exhibit lists, and come to court prepared to discuss (if needed) (1) the anticipated testimony of each of their witnesses, with an estimate of the time required for direct and for cross examination, and (2) whether there is an objection to a proposed exhibit (and, if so, the basis for the objection). In advance of the conference, the parties shall make their best efforts to pare down the witness and exhibit lists, eliminating cumulative evidence to the greatest extent possible.

The motions for summary judgment, responses, replies, and supporting documents have given the court a good indication of the staggering amount of testimony and exhibits that the parties may hope to present. Certainly some, and perhaps a good part, is cumulative. As the court often reminds counsel during trial, cumulative evidence results in jury MEGO: “my eyes glaze over.” The court understands counsel’s desire to present every last bit of evidence so as to leave nothing to conjecture. With the vast amount of evidence that the parties have amassed through discovery, every advance effort should be made to slim down the evidence to the point where each bit is a necessary and convincing piece of information that supports or disproves the plaintiffs’ claims.

The court intends for the parties to devote their attention to the witness and exhibits lists at this initial meeting, and no proposed pretrial order need be filed prior to that meeting. After the November 14, 2012, pretrial conference, the court will e-file the witness and exhibit lists under seal. The lists will be considered final, and will thereafter be amended only upon a showing of extreme, compelling, unanticipated circumstances.

To facilitate the parties’ planning, the court has scheduled another pretrial conference for December 5, 2012, at 10:30 a.m. by personal appearance. The focus for that conference will be decided at the November 14 conference. A third and final pretrial conference is scheduled for December 12, 2012, at 10:30 a.m. by personal appearance. After the third conference, the court anticipates that there will be a workable and final pretrial order for each case that will govern all aspects of the trials. If needed, however, an additional pretrial conference is scheduled for December 19, 2012, at 10:30 a.m. by personal appearance.

Steidl’s jury selection and jury trial are scheduled to begin on January 14, 2013, at 9:00 a.m. Whitlock’s jury selection and jury trial are scheduled to begin on February 25, 2013, at 9:00 a.m.

Entered this 27th day of June, 2012.

/s/Harold A. Baker

HAROLD A. BAKER
UNITED STATES DISTRICT JUDGE