

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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UNITED STATES OF AMERICA,	)	
	)	
v.	)	Crim. Action No. 19-0018 (ABJ)
	)	
ROGER J. STONE, JR.,	)	
	)	
Defendant.	)	
_____	)	

**SCHEDULING ORDER**

After considering the matters discussed at the status conference held in this case on March 14, 2019, it is ORDERED that the following schedule shall apply:

- 1) Any **defense motion to dismiss, or motion alleging a defect in instituting the prosecution**, including any potential motion concerning vindictive or selective prosecution, and any motion alleging error in the grand jury proceeding or a defect in the indictment, *see* Fed. R. Crim. Proc. 12(B)(A) and (B), must be filed by April 12, 2019. The opposition is due May 3, 2019, and any reply is due May 17, 2019. If such motions are filed, a hearing will be held on May 30 at 10:00 a.m.
- 2) Any **defense motion to suppress statements or evidence** must be filed by May 10, 2019. The opposition is due May 31, 2019, and any reply is due June 14, 2019. A hearing on the motion will be held on June 21, 2019 at 10:00 a.m.
- 3) The **government’s notice of its intention to introduce evidence under Fed. R. Evid. 404(b)** must be filed by June 24, 2019. The opposition is due July 8, 2019, and the reply is due July 15, 2019.
- 4) **Motions in limine** on behalf of either party must be filed by July 26, 2019. Oppositions are due August 9, 2019, and replies are due August 16, 2019.
- 5) On August 16, 2019, the parties must jointly file a list of **proposed questions to be included in the written jury questionnaire** that indicates:

- i. the questions on which the parties agree;
- ii. the questions on which the parties disagree, with specific objections noted below each disputed question and supporting legal authority (if any).<sup>1</sup>

The joint proposed jury questionnaire may not exceed 45 questions.

- 6) The parties must jointly file a single **Joint Pretrial Statement** by August 30, 2019.
- 7) The **pretrial conference** will be held on September 17, 2019 at 9:30 a.m.<sup>2</sup>
- 8) The parties must inform the Court of their **proposed strikes for cause** by September 19, 2019.
- 9) **Trial** will commence on November 5, 2019 at 9:30 a.m.

Any motion to extend a date for the submission of a pleading to the Court must be filed at least two business days before the date to be extended.

All pleadings must conform to the requirements concerning formatting and fonts set forth in Local Civil Rule 5.1(d).

### **JOINT PRETRIAL STATEMENT**

The Joint Pretrial Statement must include:

- a) a concise **joint statement of the case** for the Court to read to prospective jurors;
- b) an **estimate of the number of days** the trial is anticipated to last;
- c) a list of all outstanding **motions in limine**;
- d) **proposed jury instructions** that indicate:

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1 Proposed questions should call for short answers – preferably yes or no answers, or responses that involve checking boxes, where possible. The Court will schedule a date in September for the jurors to come to the courthouse to complete the questionnaire.

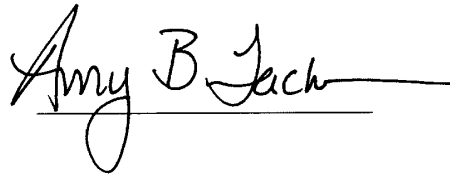
2 The parties are advised that the Court will not extend this date into October.

- i. the instructions on which the parties agree; and
  - ii. the instructions on which the parties disagree, with specific objections noted below each disputed instruction and supporting legal authority.
  - iii. Any agreed or proposed instructions contained in the Standardized Criminal Jury Instructions for the District of Columbia need not be separately provided but should be identified by number. Any other proposed instructions must be provided to the Court in their entirety and should be formatted so that each individual jury instruction begins on a new page, with the source and supporting authority noted at the bottom of the page, followed by any objections and the grounds therefor.
- e) **a list of expert witnesses**, if any, accompanied by a brief description of each witness's area of expertise and expected testimony, followed by specific objections (if any) to each witness;
  - f) **a list of prior convictions**, if any, that the government intends to use for impeachment or any other purpose, followed by any specific objections to that use;
  - g) **a list of exhibits** that each party intends to offer during trial that identifies each exhibit by number and specifies those exhibits to which there is an objection, and the basis for the objection, e.g., "hearsay," or "F.R.E. 403," without further argument. Exhibits will be presumed authentic unless an objection to their authenticity is noted on the Joint Pretrial Statement;
  - h) any **stipulations**, signed by counsel and the defendant;
  - i) a list of any **matters of which the parties seek the Court to take judicial notice**, along with the proposed language; and
  - j) **a proposed verdict form**, as well as proposed special interrogatories (if any), that includes a date and signature line for the jury foreperson.

At least two business days before the conference, counsel for each party shall deliver to chambers copies of the exhibits in electronic form on disk and in paper form in a binder (or set of binders) containing copies of all exhibits that the party will seek to introduce – pre-marked with their exhibit numbers and divided by numbered tabs – with an index or table of contents to the binders. Binders may not be larger than 3 inches. Exhibit binders must be labelled on both the

front and the spine of the binder with the name of the party, volume number, and the numbers of the exhibits found inside. (For example: Defendant's Exhibits Vol. I, Ex. 1 – 27).

**SO ORDERED.**

A handwritten signature in black ink that reads "Amy B. Jackson". The signature is written in a cursive style with a horizontal line underneath the name.

AMY BERMAN JACKSON  
United States District Judge

DATE: March 15, 2019