(Rev. 2/6/13)

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA, )

)

Plaintiff, )

)

v. ) Case No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_

)

)

)

Defendant(s). )

**PRETRIAL ORDER NO. 2**

A scheduling and status conference was held in this case on \_\_\_\_\_\_\_\_\_\_\_\_\_, 201\_, before the undersigned presiding U.S. District Judge, [Kathryn H. Vratil] [Carlos Murguia] [Julie A. Robinson]. The plaintiff, United States of America, appeared through Assistant U.S. Attorney \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The defendant(s), \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, appeared in person and through counsel, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**[IF DEFENDANT INTENDS TO PLEAD GUILTY VERY SOON, USE THE FOLLOWING PARAGRAPH AND THEN DELETE EVERYTHING ELSE]**

The parties report they have resolved this case. It’s not expected to proceed to trial. Accordingly, a change-of-plea hearing pursuant to Fed. R. Crim. P. 11(b) is hereby scheduled before U.S. [District] [Magistrate] Judge \_\_\_\_\_\_\_\_\_\_\_\_ on **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 201\_, at \_\_\_ \_.m.**, in Courtroom \_\_\_ of the U.S. Courthouse in [Kansas City] [Topeka], Kansas.

**[IF DEFENDANT DOES NOT INTEND TO PLEAD GUILTY VERY SOON, USE THE FOLLOWING PARAGRAPHS]**

Pretrial Order No. 1, which was filed on \_\_\_\_\_\_\_, 201\_ (doc. \_\_\_) and which summarizes the parties’ disclosure and discovery obligations, is incorporated herein by reference and shall continue in effect unless specifically modified by the court. Pretrial Order No. 1 requires, in pertinent part, that the government complete its disclosures at least 14 days before the deadline for defendant to file motions to suppress and other pretrial motions and notices.

After conferring with counsel during the status conference, the court orders as follows:

Unless otherwise stated in Pretrial order No. 1 or agreed in writing by counsel, all discovery material that is reasonably known to the government and that the government is required to provide defendant shall be produced by **\_\_\_\_\_\_\_, 201\_**.

All motions to suppress and other pretrial motions or notices by the defendant shall be filed by **\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 201\_**. The government’s responses shall be filed by **\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 201\_**

*[Use the same schedule here as immediately above for motions by the defendant and responses by the government]*  Any request for summaries of expert testimony of government witnesses by defendant shall be filed by **\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 201\_**, and any government request for summaries of expert testimony of defense witnesses shall be filed by **\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 201\_**.

The presiding U.S. District Judge will conduct a hearing with regard to all timely filed pretrial motions and notices on **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 201\_, at \_\_\_ \_.m.**, in Courtroom \_\_\_ of the U.S. Courthouse in [Kansas City] [Topeka], Kansas; if no motions or notices are timely filed, a status conference will be held at that time.

The presiding U.S. District Judge will conduct a final pretrial conference on **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 201\_, at \_\_\_ \_.m.**, in Courtroom \_\_\_ of the U.S. Courthouse in [Kansas City] [Topeka], Kansas. **At least 14 days before this conference begins**, counsel for the government and the defendant shall complete the process of conferring in good faith to narrow the issues for trial, and then file their stipulations of fact and law, final witness and exhibit lists, and motions in limine. Responses to motions in limine must be filed **at least 7 days before the final pretrial conference**. At the conference, counsel must be prepared to argue the motions in limine and to discuss any other remaining questions of law on which the parties desire pretrial rulings.

Trial of this case, which presently is expected to take approximately \_\_\_\_ days, is set for **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 201\_, at \_\_\_ \_.m.** in Courtroom \_\_\_ of the U.S. Courthouse in [Kansas City] [Topeka], Kansas. This is a firm trial setting. Absent a showing of truly extraordinary circumstances, no continuances will be granted. If defendant decides to change his or her plea pursuant to Fed. R. Crim. P. 11(b), or if fewer trial days than noted above will be needed, counsel must *immediately* contact the courtroom deputy clerk for the presiding judge so the allocated trial time may be made available for another case.

All requests for special voir dire questions to be asked by the court, and all proposed jury instructions, must be filed **at least 7 days before trial**; there is no need to propose routine, standard instructions.

IT IS SO ORDERED.

Dated \_\_\_\_\_\_\_\_\_\_\_, 201\_\_, at [Kansas City] [Topeka], Kansas.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ U.S. District Judge