Effective March 13, 2026

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JUDGE TANA LIN
TRIAL PROCEDURES FOR ALL CIVIL CASES

This document sets forth the trial procedures for all civil cases assigned to this Court. This Order applies to all counsel in cases before this Court, their clients, and any parties representing themselves pro se. When the term "Counsel" is used in this Order, it includes lawyers as well as any parties representing themselves. When the terms "Party" or "Parties" are used in this Order, they include counsel.

TABLE OF CONTENTS

I. Procedures for All Civil Trials 2
- A. Pretrial Order 2
- B. Pretrial Conference 2
- C. General 2
  - 1. Schedule 2
  - 2. Recording of Proceedings 2
  - 3. Glossary 2
- D. Evidence 2
  - 1. Presentation of Evidence 2
  - 2. Admissibility and Admission of Evidence 4
- E. Deposition Designations 4
- F. Witnesses 5
- G. Issues Arising During Trial or After Court Hours 6

II. Procedures for Civil Jury Trials 6
- A. Settlement 6
- B. Civil Jury Impanelment and Voir Dire 6
  - 1. Jury Composition 6
  - 2. Voir Dire 6
  - 3. Juror Challenges 7
- C. Jury Instructions 7
- D. Objections 8
- E. Standing and Speaking at the Podium 8
- F. Deliberations 9

I. PROCEDURES FOR ALL CIVIL TRIALS

A. Pretrial Order

When filing the pretrial order, the Parties should send a Microsoft Word version of the proposed order to linorders@wawd.uscourts.gov.

B. Pretrial Conference

An agenda of topics to be covered at the pretrial conference is posted on Judge Lin's Chambers Procedures page, at https://www.wawd.uscourts.gov/judges/lin-procedures.

C. General

1. Schedule

Unless the Parties are otherwise notified, trials are normally set to begin at 9:00 a.m. on Mondays, unless the Monday is a holiday. On each day of trial, Counsel and any pro se litigants are expected to be present **thirty (30) minutes** prior to the start time to discuss any upcoming issues. To ensure that the morning pretrial hearing is productive and efficient, Counsel shall meet after the conclusion of each trial day and attempt to resolve or refine upcoming disputes.

The normal trial day runs from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., with a 15-minute morning break and a 15-minute afternoon break taken at the Court's discretion.

2. Recording of Proceedings

The official record of all trials and proceedings will be taken either by electronic sound recording or by a real-time reporter.

3. Glossary

Where necessary, Counsel shall confer and prepare a joint glossary of (1) any unusual or technical terminology that may assist the Court, Court Reporter, or jury during trial; and (2) any proper names, acronyms, and case citations that are likely to be used at trial. The glossary must be emailed to Courtroom Deputy Kadya Peter at Kadya_Peter@wawd.uscourts.gov, in Microsoft Word format, no later than **three (3) days** before the start of trial. Hard copies shall also be provided to the Courtroom Deputy and Court Reporter (if any) on the first day of trial.

D. Evidence

1. Presentation of Evidence

a) Pretrial Submission of Exhibits

One physical set and one electronic set of the trial exhibits must be delivered to Judge Lin's chambers **three (3) days** before the trial date. Each exhibit shall be clearly pre-marked by Counsel. Exhibit stickers/labels/tags can be obtained from the Clerk at the pretrial conference or from the Clerk's Office during business hours. Exhibit tags generated electronically are also

acceptable, so long as they list the following information: (1) Plaintiff, Defense, or Joint Exhibit; (2) case number; and (3) exhibit number. The Parties shall also bring one physical set of trial exhibits for the witnesses on the first day of trial.

A document shall be submitted only once; the same document shall not be duplicated across multiple Parties' sets of exhibits. Each exhibit shall be printed double-sided, unless there is a specific need to not do so. Once a Party has identified an exhibit in the pretrial order, it may be used by any Party. Each set of exhibits shall be submitted in a three-ring binder with numbered tabs.

The electronic set of trial exhibits must be delivered in the following format:

- Exhibits must be on a USB flash drive (preferred) or CD/DVD.
- Each exhibit must comprise a single document.
- All exhibits, other than audio or video exhibits, must be in PDF format.
- If possible, PDF documents should be provided in a text-searchable format.
- Exhibits that contain audio or video must be playable in Windows Media Player.
- Exhibits must be numbered and named. Each file name must include the exhibit number and a brief description. For example, Plaintiff Exhibit 1 might be named *P-1contract.pdf*. Defense Exhibit 1 might be named: *D-1email.pdf*.

Both the physical and electronic copies of the trial exhibits must be accompanied by a table of contents or index that identifies each exhibit. The table of contents or index must include the exhibit number and a brief description of each exhibit.

If these requirements for the pre-trial submission of exhibits to the Court pose any undue hardship or burden on a Party, the Party may contact Courtroom Deputy Kadya Peter at Kadya_Peter@wawd.uscourts.gov as early as possible, but no later than **two (2) business days** before the trial exhibits are due, so that the Court can endeavor to address the Party's concerns.

A final exhibit list in Microsoft Word format must be separately emailed to Courtroom Deputy Kadya Peter at Kadya_Peter@wawd.uscourts.gov **three (3) days** prior to the trial date.

Each Party is responsible for having its original documents available at trial.

b) Training on Evidence-Presentation Devices

Jurors have high expectations about lawyers' ability to operate the evidence-presentation devices in the courtroom. Training is strongly encouraged, and it is the responsibility of the Parties to participate in training in advance of the start of trial, if needed. See https://www.wawd.uscourts.gov/attorneys/trial-support for more information. At the pretrial conference, the Parties must arrange with Courtroom Deputy Kadya Peter to schedule a time to test any equipment that the Parties wish to use at trial. Absent extraordinary circumstances, trial will not be delayed due to difficulties with the technology.

2. Admissibility and Admission of Evidence

Parties must coordinate to provide the Court with a chart that lists any exhibits or demonstratives expected to be used during each trial day, along with any stipulations and remaining objection(s) to any exhibit(s) or demonstrative(s). For exhibits to be used during opening statements and the first day of trial, a list of the exhibits and demonstratives, along with any objections and responses to the objections, shall be emailed to the Courtroom Deputy by **5 p.m. the Friday before the first trial day**. Thereafter, the Parties are directed to meet at a mutually agreed upon time during each trial day to exchange a set of proposed exhibits and demonstratives to be used the following day. The Parties are required to confer each day following this exchange to make further stipulations and discuss any remaining objections. If any objections remain after this conferral, the exhibit list, including all updated stipulations and objections, shall be emailed to the Courtroom Deputy **by 8 p.m. each day**.

Unless otherwise specified, the Court will rule on the admissibility of any disputed exhibits before the start of each day of trial. If an exhibit is "pre-admitted" in this manner, Counsel will still need to formally move for admission of the exhibit at the time it is introduced, but will not need to lay a foundation for admissibility or request permission to publish the exhibit during the trial.

Exhibits that the Parties have stipulated as admissible are not admitted until the Court formally admits them on the record.

Impeachment or rebuttal exhibits (those whose sole purpose is to attack a witness's veracity) need not be disclosed in advance, but they should be pre-marked, when possible, so that they will be immediately useable at trial without the need for labeling by the Courtroom Deputy. Counsel also must provide copies of the exhibits for opposing counsel and at least two (2) copies for the Court.

If the exhibit list, pretrial order, or witness list is revised at any time after it is filed with the Court, Counsel shall promptly file the revised document with the Court and provide the Courtroom Deputy with a redlined version indicating the changes, along with clean replacement copies of any revised or added exhibits, in both electronic and physical format.

E. Deposition Designations

Pursuant to Local Civil Rule 32, if a Party intends to offer a deposition in lieu of or in addition to live testimony at trial, that Party shall provide to all other Parties a transcript of the deposition with the relevant portions highlighted. Other Parties may offer other portions of the deposition by highlighting them using a different color.

No later than **three (3) days** prior to the due date for deposition designations, the Parties shall meet and confer regarding any disputed deposition designations. No later than the deadline designated by the Court, the Parties shall jointly submit to chambers, for each deponent, the following: (1) one color copy of the relevant portions of any deposition transcript, with the testimony highlighted and typed objections and responses included in the margins of each transcript at the appropriate location; and (2) a Deposition Designations chart setting forth the objections and responses, in numerical page order, in the format found on Judge Lin's Chambers Procedures page,

https://www.wawd.uscourts.gov/judges/lin-procedures. The Parties shall then file on the docket, as a single filing, a "Joint Submission of Deposition Designations," in which each highlighted deposition transcript, appended by its corresponding Deposition Designation chart, is filed as a separate exhibit. The Parties shall also send a Microsoft Word version of the Deposition Designations Chart to the Courtroom Deputy.

A failure to designate an objection as set forth above shall constitute a waiver, even if the objection was previously stated at the deposition.

For jury trials: Counsel offering the deposition testimony are required to either present a video recording of the deposition or provide a person to read aloud the designated portions of the transcript.

For non-jury trials: Deposition transcripts will not be read aloud at trial.

If a Party intends to offer a video deposition instead of live testimony, the Party must, in addition to complying with the provisions above, submit a copy of the video deposition on a USB flash drive (preferred) or DVD to Chambers and to all other Parties no later than the deadline for filing deposition designations. The Party offering the video is expected to be familiar with the courtroom technology necessary to play it and must ensure that the video is edited appropriately after the Court makes its rulings on any objections. *See supra* Section I.D.2.

F. Witnesses

The Court expects the Parties to provide notice to opposing counsel of their next-day's witnesses **by 8 p.m. the day before a witness is to be called**.

The rule on exclusion (sequestration) of witnesses will be in effect throughout the trial until the time of closing arguments and instructions. Other than Parties and their representatives, all witnesses must remain out of the courtroom except while testifying. After completion of their own testimony, a witness may remain in or reenter the courtroom but cannot then be recalled. Counsel who desire a waiver of the rule with respect to a specific witness (for example, an expert) shall first discuss the matter with opposing counsel and then present the request to the Court prior to the start of trial on the particular day at issue.

Counsel shall instruct witnesses to not discuss their testimony with other witnesses, either before or after they complete their testimony.

Once the trial begins, witnesses will be considered "on call." It is the responsibility of the calling Party to ensure a witness's presence. Except in extraordinary circumstances, the trial will not be recessed because a witness is unavailable. If alerted ahead of time, the Court will endeavor to accommodate witnesses with scheduling problems.

The use of an exhibit binder or courtroom technology for the presentation of evidence should obviate the need to approach the witness. Where Counsel seeks to impeach a witness by use of that witness's prior deposition or other discovery materials, copies of the relevant document must be provided to the witness, the Court, and opposing counsel.

G. Issues Arising During Trial or After Court Hours

Should an issue arise during trial after court hours, Counsel are instructed to meet and confer to see if the issue can be resolved without Court intervention. If such meet-and-confer efforts are unsuccessful, Counsel must notify Courtroom Deputy Kadya Peter of the issue by email at Kadya_Peter@wawd.uscourts.gov.

II. PROCEDURES FOR CIVIL JURY TRIALS

A. Settlement

Parties shall refer to LCR 39(d) when cases scheduled for jury trial are settled (or agreed to be tried without a jury) for the requirements of providing timely notice. Failure to provide timely notice may result in the assessment of jury expenses to the Parties. *See* LCR 39(d).

B. Civil Jury Impanelment and Voir Dire

This summary is provided to acquaint the Parties with the procedure for impaneling a civil jury in Judge Lin's court.

1. Jury Composition

Under Federal Rule of Civil Procedure 48, the jury will consist of not fewer than six and not more than twelve members. The Court will discuss with Counsel how many jurors will be impaneled at the pretrial conference but generally recommends a panel of eight jurors. The jurors will be the panelists with the lowest numbers remaining after all challenges have been exercised.

Counsel are reminded that, pursuant to Federal Rule of Civil Procedure 48, the verdict must be unanimous.

2. Voir Dire

a) Submission of Proposed Voir Dire Questions

The Court will utilize the general "sorting" voir dire questions, which are posted at https://www.wawd.uscourts.gov/judges/lin-procedures and are meant to screen for hardship as well as familiarity with the case and/or witnesses. The Parties may submit for consideration additional proposed general sorting questions that can be answered with a "Yes" or "No" for the Court to ask the panel. Open-ended questions or multi-part questions are not appropriate for this portion of the voir dire. However, follow-up and any non-general sorting questions need not adhere to a particular format.

The Parties shall file a joint submission with (1) agreed-upon voir dire questions from the Court's general voir dire; (2) any additional agreed-upon sorting or general proposed voir dire questions; (3) a chart of any disputed proposed voir dire questions that includes: (a) the proposed question, (b) any objection to the proposed question, and (c) the response to the objection; and (4) a proposed joint neutral statement of the case to be read during voir dire. If the Parties are unable to agree on a joint statement, they shall submit the statement proposed by each Party and

the reasons (including any applicable legal authorities) for the disagreement. In addition to being filed on the docket, all of these documents must be submitted via email in Microsoft Word format linorders@wawd.uscourts.gov **and** to Courtroom Deputy Kadya Peter at Kadya_Peter@wawd.uscourts.gov. If the Parties suggest changes to the Court's general voir dire questions, they should also submit both clean **and** red-lined copies indicating any changes, deletions, or additions to those questions.

Counsel shall not ask any questions submitted to and rejected by the Court.

b) *Voir Dire Procedure*

Before a jury panel is brought into the courtroom, Counsel will be given copies of the juror information forms. These forms contain basic information about each prospective juror. Counsel will also receive a list of jurors in the order that they will be seated. Each juror will have been randomly assigned a juror number by computer and will be seated according to that number.

The Court will briefly describe the case to the panel, will ask Counsel and any pro se litigants to introduce themselves and any clients present in court, and will read the lists of witnesses to be called.

The Court will then conduct the initial voir dire examination consisting of general "sorting" questions. *See infra* Section II.B.2.b. The questions are asked of the entire panel, and any juror whose answer would be "yes" or "probably yes" is asked to raise their juror number. The Court and Counsel may make note of that juror's number for possible follow-up questions.

When the Court has finished asking questions of the entire panel, an effort is made to provide an opportunity for voir dire by the lawyers. Counsel for each Party may ask questions of the whole panel, of individual jurors, or both. Each side (not Party) is limited to time limits set by the Court at the final pretrial conference. Counsel are permitted to ask for additional time if they believe they need it.

3. Juror Challenges

After the Parties' voir dire is completed, the Court will send the panel on a break and then discuss with the Parties their juror challenges.

Generally, the Court uses the alternating method for peremptory challenges, starting with the Plaintiff. However, the Parties may request modifications to this procedure at the pretrial conference.

C. Jury Instructions

The Court recommends the latest version of the Ninth Circuit Model Jury Instructions as the preferred proposed instructions. The Parties shall submit a Joint Instructions and Joint Statement of Disputed Instructions ("Joint Instructions Statement"), a proposed Jury Instructions Chart (*see* https://www.wawd.uscourts.gov/judges/lin-procedures),[1] and a proposed verdict form that

[1] The chart can be in addition to or in lieu of the table of contents required by Local Civil Rule 51(g).

complies with Local Civil Rule 51 by the deadline set by the Court. The proposed joint instructions shall contain a chart of proposed instructions (*see* Jury Instructions Chart example) and contain two sections: (1) Agreed-Upon Instructions; and (2) Disputed Instructions. Each instruction shall begin on a new page. For Disputed Instructions, the proposed and alternate instruction shall be listed one after the other, with **each side's** argument and authority for the instruction not to exceed **two (2) pages,** collectively, per instruction (i.e., Co-Plaintiffs and Co-Defendants must submit only one set together). To the extent any proposed instruction relates to and modifies a Ninth Circuit Model Jury Instruction, a red-lined version of the model instruction shall be included with the submission.

The Court will discuss any disputed preliminary instructions at the pretrial conference and rule on them prior to trial. Each side will be permitted to put on the record any exceptions to the Court's instructions.

The Joint Instructions Statement, jury instruction chart, and verdict form must be submitted in Microsoft Word format via email to linorders@wawd.uscourts.gov **and** to Courtroom Deputy Kadya Peter at Kadya_Peter@wawd.uscourts.gov.

Prior to opening statements, the Court will read the preliminary jury instructions aloud. Each juror will be given a set of instructions to keep with them throughout the trial.

At the conclusion of the evidence, the Court will prepare the final and controlling set of instructions with the Parties. The Parties will be given an opportunity to take exceptions. The preliminary instructions will be collected from the jurors, and the final set of instructions will be substituted and read to the jury before closing arguments. Each juror will be given a set of the final instructions to use during deliberations.

D. Objections

"Speaking objections" in the presence of the jury will not be permitted. Counsel must stand when raising objections (unless an accommodation has been provided, *see* Section VI.D of Judge Lin's Standing Order for All Civil Cases) and should limit the objections to shorthand phrases such as "hearsay," "lack of foundation," "asked and answered," etc. If additional discussion is needed, Counsel must request to approach the bench. Frequent or protracted bench conferences are discouraged.

Counsel requesting that an immediate jury instruction be given to the jury must provide the Court with the proposed text of the jury instruction.

E. Standing and Speaking at the Podium

If a jury is present in the courtroom, Counsel are required to stand when addressing the Court, a witness, or the jury unless the need for a disability-related or health-related accommodation is readily apparent or such accommodation has been requested and granted. As a general matter, Counsel will not be restricted to speaking at the podium for opening or closing arguments unless the Court, Court Reporter, witness, other counsel, or a juror indicates that they are unable to hear. However, Counsel shall stay at least five (5) feet back from the railing in front of the jury

box and, to aid the Court Reporter, may be required to use a handheld microphone provided by the Court when leaving the podium.

F. Deliberations

The jury will be given all admitted exhibits, the final jury instructions, and any verdict form and special interrogatories that the Court has decided to use.

Throughout jury deliberations, Counsel must remain within twenty (20) minutes of the courthouse so that the Court can expeditiously respond to any jury notes or a verdict. Counsel who choose not to remain in the immediate vicinity of the courtroom must provide the Courtroom Deputy with a telephone number where they can be contacted.

Unless Counsel object, the jury will not be brought into the courtroom to be excused at the end of the day, nor for resumption of deliberations upon return the following day. Instead, the Courtroom Deputy will excuse the jury from the jury room at the end of the day and collect all exhibits, notebooks, and verdict forms. These items will be returned to the jurors the next morning. Jurors will be reminded at each break and at the end of each day that they are not permitted to discuss the case with anyone.

DATED this 13th day of March 2026.

Honorable Tana Lin
United States District Judge