

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ANN McCracken,)	CASE NO. 1:11 DP 20485
)	
Plaintiff,)	JUDGE DAVID A. KATZ
)	
v.)	MAGISTRATE JUDGE
)	WILLIAM H. BAUGHMAN, JR.
DePUY ORTHOPAEDICS, INC., <i>et al.</i> ,)	
)	
Defendants.)	<u>ORDER</u>

In consideration of District Judge David Katz's order continuing the jury trial in this case to September 24, 2013,¹ the following schedule will apply to the voir dire, which I will conduct:

- The Court will conduct a telephonic conference to receive and rule on agreed challenges to jury panel members for cause on Thursday, September 12, 2013, at 2:30 p.m. I will conduct this conference on the record. Counsel must confer before the conference to discuss agreement on challenges for cause.
- The Court will conduct a conference to receive and rule on contested challenges to jury panel members for cause on Monday, September 23, 2013, at 11:00 a.m. I will conduct this conference on the record. Counsel may also offer additional agreed challenges for cause at this conference.
- Voir dire will commence on Tuesday, September 24, 2013, beginning at 9:00 a.m. I will meet with counsel at 8:30 a.m. to entertain and resolve any preliminary matters.

¹ ECF # 100.

The jury will be made up of eight jurors and four alternates. I will conduct voir dire of the entire panel and of individual panel members. Counsel will be given 30 minutes per side to question individual panel members after I conclude my questions. Counsel will exercise their juror strikes at sidebar immediately following voir dire. Although I will entertain challenges for cause at the conferences on September 12, 2013, and September 23, 2013, as provided above, if additional grounds for challenge for cause arise during the voir dire, the plaintiff will present all of her motions to strike for cause; then, defendants will present all of their motions to strike for cause. After I rules on these motions, the parties will exercise their peremptory strikes. Each side will have three peremptory strikes. Counsel may use *any* peremptory strike to remove *any* potential juror from the panel — “back strikes” are allowed. Counsel will always know what jurors have been stricken — there are no blind strikes. After all peremptory strikes have been exercised I will prepare a chart showing which panel members will be seated as jurors. Panel members will *not* know why they are stricken, or by whom.

IT IS SO ORDERED.

Dated: September 6, 2013

s/ William H. Baughman, Jr.
United States Magistrate Judge