

1.11 PRELIMINARY CHARGE (Approved 11/98, Revised 5/07)

[To be given after the jury is sworn in but before the openings.]

E. Outline of Order of Events

Let me now outline for you the order of events.

We will start with the attorneys' opening statements. In their opening statements the attorneys will explain to you the position of their clients in this litigation. They will tell you what they think this case is about, and what they believe the evidence will show. The opening statements are designed to highlight for you the disagreements and factual differences between the parties in order to help you judge the significance of the evidence when it is presented.

Once the attorneys have made their opening statements then each party is given an opportunity to present its evidence. First, the plaintiff presents its evidence. Then the defense will present its evidence. Each witness will undergo direct examination which means that the attorney calling the witness will ask that person questions. After that the other attorneys are given an opportunity to question the witness, which is referred to as cross-examination.

Once all the evidence has been presented, the attorneys will make their closing arguments. They will give you their analysis of what the evidence means and will attempt to highlight the significant evidence that is helpful to their clients' positions.

Once the closing arguments are completed, I will instruct you on the legal principles to be followed when deciding this case.