

Electronic Exhibits Protocol
Judge Harner's Courtroom 9-C in Baltimore
(as of September 2019)

Any party intending to submit and use electronic exhibits in an evidentiary hearing or trial before Judge Harner in Courtroom 9-C in Baltimore shall follow the procedures outlined below.¹ The Court may, on its own initiative or on the request of a party, excuse a party from complying with these procedures. Any request by a party to be excused from these procedures must be filed with the Court prior to the exhibit submission deadline in the contested matter or adversary proceeding. All questions concerning this Electronic Exhibits Protocol should be submitted to Judge Harner's Courtroom Deputy, Anna Marie Komisarek, at hearings_mmh@mdb.uscourts.gov.

The following procedures are designed for parties planning to use their own laptop computers to present evidence through the Court's presentation system. If a party wishes to present evidence directly on the Court's presentation system, without their own laptop computer, then they must contact Judge Harner's Courtroom Deputy for additional guidance.

Procedures:

1. Submitting Electronic Exhibits

- a. All exhibits must be submitted on an unencrypted, non-password-protected USB drive (i.e., thumbdrive) in the following format according to these specifications:
 1. USB drives should be labeled with the following information: Case Number, Case Name, and Party submitting the device.
 2. Image format should be in portable document format (*.PDF). If another file format is going to be used, you must first clear it with Judge Harner's Courtroom Deputy to make sure it will work with the Court's presentation system.
 3. When parties' own laptop computers are used, exhibits containing multiple pages can be stored as multi-page *.PDF files.
 4. Two identical copies of electronic exhibits must be provided to the Court, on two separate USB drives.
- b. All exhibits must be submitted to the Court and opposing counsel in the correct digital format with the appropriate case information and with each exhibit appropriately labeled in accordance with these procedures no later than three business days prior to an evidentiary hearing and no later than two weeks prior to an adversary proceeding trial. *The Court may, on its own initiative or on the request of a party, alter these deadlines by Order, including a Scheduling Order.*

¹ The use of exhibits in an electronic format by any party in proceedings before Judge Harner is optional at this time but the Court encourages parties to consider the utility and efficiencies of using electronic exhibits. The Court welcomes parties to submit comments on their experiences with electronic exhibits and these protocols to Judge Harner's courtroom deputy, Anna Marie Komisarek, at hearings_mmh@mdb.uscourts.gov.

2. Exhibit Naming Schemes

- a. Plaintiff's and defendant's exhibit image files must follow a specific alpha-numeric naming scheme. Use as many lead zeros as necessary to ensure that the software organizes the exhibits in numerical order (i.e., exhibit 2 appears after exhibit 1 and before exhibits 10, 100, and 1000).

P01 Plaintiff's exhibit No.1

P25 Plaintiff's exhibit No.25

D01 Defendant's exhibit No.1

- b. Additional parties, including any additional plaintiffs, should use separate letters in their alpha-numeric naming scheme.

Examples:

P01 Plaintiff's exhibits

D01 Defendant's exhibits

G01 Government's exhibits

S01 Additional Plaintiff - Smith's exhibits

T01 Additional Defendant - Taylor's exhibits

M01 Movant's exhibits

R01 Respondent's exhibits

3. Using Electronic Exhibits in Court

- a. *The Court expects all parties to be familiar with, and to have obtained any necessary instruction on, the Court's presentation system prior to the day of the hearing or trial. Any party intending to use electronic exhibits is encouraged to discuss the use of the Court's presentation system with Judge Harner's Courtroom Deputy prior to the hearing or trial. Parties also may receive instruction on, and test, the Court's presentation system if an appropriate request is made at least one week prior to an evidentiary hearing or at least two weeks prior to a trial. All requests for information, instruction, or opportunities to test the presentation system should be made to Judge Harner's Courtroom Deputy.*
- b. The USB drives submitted to the court must be used to present that evidence; one of the copies submitted to the court will be made available to the parties on the day of the hearing or trial.
- c. Parties are permitted to use their own laptop computers to connect to the Court's presentation system; the connection will utilize WiFi, a document camera, or an HDMI cable. The laptop computer must have a USB port (or a USB port dongle).
 1. Computers and mobile devices can be used in the courtroom only with Court permission, and only for approved purposes. Parties' laptop computers, while connected to Court's presentation system, shall not be connected to the internet utilizing built-in mobile cards or personal "hotspots."
 2. Parties are prohibited from using any recording devices in the courtroom. This includes any screen capture software installed on parties' laptop computers