

Judge Mark T. Pittman

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Chambers: 817-850-6656

Courtroom Deputy: Haley Milam 817-850-6683

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[Courtroom Technology](#)

501 West 10th Street, Room 401
Fort Worth, Texas 76102-3673

Courtroom: 4th floor

Case Letter Designation: (P)

Judge Tabs

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Judge Specific Requirements

I. Case Management Procedures

A. Status Report/Scheduling Order

An Order to Submit a Joint Status Report ("OSJSR") is issued as soon as possible after all or most defendants have filed responsive pleadings. The OSJSR sets out a number of requirements and requires that important case-specific information be included in the parties' Joint Status Report. The Initial Scheduling Order is based on the parties' responses in their Joint Status Report.

B. Preliminary Pretrial Conference ("Rule 16 Conference")

Typically, unless a FRCP 16(a) scheduling conference is requested by a party, the judge will merely enter an Initial Scheduling Order after reviewing the Joint Status Report filed by the parties, and will not convene a conference before the Court.

C. Fed. R. Civ. P. 26(f) Conference

The parties must comply with FRCP 26(f). If, at the time the judge enters his OSJSR, the parties have already conducted a FRCP 26(f) scheduling conference that fully complies with the one required by the OSJSR, they need not convene an additional conference. If the parties have already submitted a Rule 26(f) written report that outlines their proposed discovery plan by the time the OSJSR issues, they must nevertheless submit the Joint Status Report required by the OSJSR, because the OSJSR requests additional information not required by FRCP 26(f). The parties may, however, adopt portions of their written report by reference in the Joint Status Report if they attach a photocopy of the written report to their Joint Status Report.

D. Referrals to Magistrate Judges

Without identifying who will or will not consent, the parties must inform the judge in their Joint Status

Report whether they will consent to referral of the case to a magistrate judge pursuant to 28 U.S.C. § 636(c). If all parties consent, the case will typically be referred to the magistrate judge for all purposes. Additionally, discovery motions are generally referred to the magistrate judge.

E. Settlement Discussions

In the Court's Initial Scheduling Order, parties are ordered to hold a face-to-face settlement conference. If a settlement is reached, the Court should be notified immediately. The Court will then enter an order setting a deadline for the filing of an agreed order of dismissal due to settlement.

II. Motion Practice

A. General Motions Practices

1. All motions require a proposed order in Microsoft Word format (not PDF) and must be emailed to Pittman_Orders@txnd.uscourts.gov, with the case number and the document number of the referenced motion in the subject line (e.g., 4-23-cv-001, ECF No. 1). Click here to view a [sample proposed order](#).
2. Any motion, response, or reply must be formatted as follows: Times New Roman, 12-point font, double-spaced text, single-spaced and bolded headings, one-inch margins on all sides, justified, centered page numbers, and single-spaced footnotes. Citations should be in text (not in footnotes), include italicized case names (not underlined) and statutes in small caps, and otherwise comply with the most recent edition of The Bluebook: A Uniform System of Citation.

B. Requirements for Specific Motions

1. Continuance
See LR 40.1; absent exceptional circumstances, continuances in civil cases are not granted since the trial month is agreed to by counsel for the parties and the Court at the trial-setting conference.
2. In Limine
Motions in limine are due approximately one month before trial; the deadline for filing them will be set out in the Final Scheduling Order, which will be issued soon after the trial-setting conference.

C. Appendices

1. Highlighting of Appendices. Regarding the documentary evidence submitted in an appendix, Judge Pittman requires that, **if the appendix is electronically filed**, the proponent of the appendix underline (or, as to large passages, bracket in the margin) the portions of the appendix upon which he relies. Similarly, **if the appendix is manually filed**, the portion of each page of the appendix upon which the proponent relies must be highlighted, underlined (or, for large passages, bracketed in the margins).
2. Exhibit Tabs. If tabs are used to separate exhibits, they must be placed on the right-hand side of the exhibits (i.e., not at the bottom of the page).

D. Non-published Citations

If citations to non-published Lexis cases are included in a brief, the proponent of the brief must attach a copy of the non-published Lexis case in the appendix. Westlaw citations are preferred over Lexis.

E. Hearings

Hearings on motions are set by the Court only when the Court determines that a hearing is necessary. Parties must submit in the motion, the response, and the reply all information necessary for a ruling.

III. Trial Procedures

A. Marking and Exchanging Exhibits

Exhibits are marked and exchanged approximately one week before the trial month begins; that deadline and the required procedures are set out in the Final Scheduling Order.

The Court construes LR 26.2(a) and (b) to require the exchanging and listing of any exhibit (except impeachment documents) that a party intends to offer in evidence or to use in the presence of the court or jury as a demonstrative aid, regardless of whether the party intends to move its admission into evidence. The judge construes narrowly the impeachment exceptions of FRCP 26(a)(3) and LR 26.2(a) and (b).

B. Voir Dire

The judge conducts voir dire, but usually gives each side 10 to 15 minutes to ask the venire additional

questions.

C. Courtroom Decorum

These requirements are not all-inclusive but are intended to emphasize and supplement the ethical obligations of counsel under the Code of Professional Responsibility, the Local Rules of the Northern District of Texas (LR 83.4 and 83.16-83.18; LCvR 53.1-53.3, 57.4), the Texas Lawyer's Creed, and the time-honored customs of experienced trial counsel. When appearing in this Court, all counsel (including, where applicable, all persons at counsel table) must abide by the following, unless excused by the presiding judge:

1. Stand as Court is opened, recessed, or adjourned.
2. Stand when the jury enters or retires from the courtroom.
3. Stand when addressing, or being addressed by, the Court.
4. Stand at the lectern while examining any witness, except that counsel may approach the clerk's desk or the witness for purposes of handling or tendering exhibits.
5. Stand at the lectern while making opening statements or closing arguments.
6. Address all remarks to the Court, not to opposing counsel.
7. Avoid disparaging personal remarks or acrimony toward opposing counsel and remain wholly detached from any ill-feeling between the litigants or witnesses.
8. Refer to all persons, including witnesses, other counsel, and the parties by their surnames and not by their first or given names.
9. Only one attorney for each party may examine or cross examine each witness. The attorney stating objections, if any, during direct examination will be the attorney recognized for cross examination.
10. Any counsel who calls a witness shall have no further discussions with that witness concerning any aspect of the case or his testimony after the witness has been tendered for cross-examination until such time as the witness has been tendered back for re-direct examination.
11. Request permission before approaching the bench.
12. Any paper or exhibit not previously marked for identification must be marked before it is tendered to a witness for examination, and any exhibit offered in evidence must be handed to opposing counsel when offered.
13. In making objections counsel must state only the legal grounds for the objection and must withhold further comment or argument unless elaboration is requested by the Court.
14. When examining a witness, counsel may not repeat the answer given by the witness.
15. Offers of, or requests for, a stipulation must be made privately, not within the hearing of the jury.
16. In opening statements and in arguments to the jury, counsel may not express personal knowledge or opinion concerning any matter in issue (i.e., don't say "I think" or "I believe," etc.) and, may not read or purport to read from deposition or trial transcripts.
17. Counsel must admonish all persons at counsel table that gestures, facial expressions, audible comments, or the like, as manifestations of approval or disapproval during the testimony of witnesses, or at any other time, are absolutely prohibited.
18. No one, including especially attorneys, parties, and witnesses, may bring food or drink (except bottled water) into the courtroom, nor may they chew gum.

D. Other

Section VII of the Court's Civil Justice Expense and Delay Reduction Plan ("the Plan"), Misc. Order No. 46, permits the presiding judge to "limit the length of trial, the number of witnesses each party may present for its case, the number of exhibits each party may have admitted into evidence, and the amount of time each party may have to examine witnesses." The judge imposes time limits on the presentation of evidence, and may set other limits permitted by the Plan. Unless leave of court is obtained, the judge also limits the examination of each witness to direct examination, cross-examination, and redirect examination. The judge also follows the scope-of-cross-examination requirement of FRCP 611(b).

IV. Miscellaneous Procedures

A. Telephone Calls to Chambers

All ECF questions should be directed to the Fort Worth ECF Help Desk at 817-850-6733 or to the Dallas ECF Help Desk at 214-753-2633.

All case-inquiry phone calls are referred to Judge Pittman's courtroom deputy at 817-850-6656.

Telephone calls directly to the Court's law clerks are not permitted.

Many of the questions that the judge's staff receives from lawyers and litigants are answered by the federal rules of civil procedure, the local civil rules, the judge specific requirements, or the judge's scheduling orders. It is the judge's desire that callers receive prompt, courteous, and accurate responses to their questions. To achieve this level of service, it is necessary that callers avoid contacting the staff to ask questions that are answered by the rules and the court's orders.

B. Faxed or Emailed Documents

The Court does not accept faxed or emailed documents for filings.

C. Vacation Letters

Vacation letters are not recognized by this Court. Counsel is responsible for having someone monitor orders for settings which may conflict with their vacation schedules and to file an appropriate motion for extension or continuance on their behalf.

Biography

Birth: 1975

Year Service Began: 2019

Appointed By: President Donald J. Trump

Education: Bachelor of Arts, *magna cum laude*, from Texas A&M University in 1996; Juris Doctor from the University of Texas School of Law in 1999

Judicial Service: Associate Justice, Court of Appeals for the Second District of Texas 2017 - 2019; Judge, 352nd District Court, Fort Worth, Texas 2015 - 2017

Legal Practice: Special Assistant United States Attorney for the Northern District of Texas in Dallas 2014 - 2015; Enforcement Attorney with the United States Securities and Exchange Commission in Fort Worth 2011 - 2015; Senior Attorney for the Federal Deposit Insurance Corporation in Dallas 2009 - 2011; Assistant United States Attorney for the Northern District of Texas in Dallas 2007 - 2009; Trial Attorney with the United States Department of Justice, Civil Division, Commercial Litigation Branch in Washington, D.C. 2004 - 2007; Civil Litigation Attorney with Kelly, Hart and Hallman, L.L.P. 1999 - 2000 and 2001 - 2004; Law clerk to Judge Eldon Brooks Mahon of the United States District Court for the Northern District of Texas 2000 - 2001

Current Memberships: Texas Bar Foundation, Tarrant County Bar Association, Tarrant County Bar Foundation, Tarrant County Volunteer Attorney Services Committee, Texas Aggie Bar Association, Federalist Society, American Judges Association, Eldon B. Mahon Inn of Court, Fort Worth Civil War Roundtable, Ballet Concerto of Fort Worth

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