5XOH 7HUPV RI 2IILFH $SSRLQWPHQWV WR WKH &RXUW VKDOO OD
IHH SD\LQJ VWXGHQW

% 7KH &KLHI -XVWLFH DQG 'HSXW\ &KLHI -XVWLFH VKDOO EH FKRVHQ IURP WKH -XGLFLDO
%UDQFK RIILFHUV QRPLQDWHG E\ RXU SUHVLGHQW 7KH &KLHI -XVWLFH LV DEOH
WR JUDQW H[FXVHG DEVHQFHV WR -XVWLFHPÀ

%7KH -XGLFLDO %UDQFK EXGJHW ZLOO EH DSSURYHG E\ D

&$OO VWLSHQGV ZLOO EH UHYLHZHG E\ WKH &RXUW HYHU\

$ 2QFH VHUYHG ZLWK D SHWLWLRQ WKH UHVSRQGHQW KD
EHLQJ ILOHG 7KH DFNQRZOHGJHPHQW RI WKH SHWLWLRQ PX
WR &XVJ FKLHIMXVWLFH#FRORUDGR 7KH &OHUN ZLOO WKHQ QRWLI\ WKH UHVS
D GHIHFW LQ WKH UHVSRQVH RU GHOLYHU WKH UHVSRQVH
SHWLWLRQHU

%7KH UHVSRQGHQW ZLOO KDYH ILYH EXVLQHVV GD\V WR IR
&RXUW 7KH EULHI PXVW EH VHQW &XVJ YLD FKLHIMXVWLFH#FRORUDGR

& 5HVSRQGHQW PD\ ILOH IRU D RQH WLPH H[WHQVLRQ RI
5HVSRQGHQW PXVW VWDWH WKH UHDVRQ IRU WKH H[WHQVL
&RXUW

' ,Q DQ HIIRUW WR SURPRWH WUDQVSDTV W@

& ,Q WKH FDVH RI DQ XQIRUHVHHQ FLUFXPVWDQFH DIWHU
DQ DSSHDO PD\ EH UHTXHVWHG E\ WKH F$SSHOODQW&RXUW
DQG EH DSSURYHG E\ D PDMRULW\ YRWH RI WKH &RXUW WR
UHDVRQDEOH H[WHQW

' ,Q WKH HYHQW WKDW QHZ HYLGHQFH LV VXEPLWWHG RU
$SSHOODWH &RXUW FDQ EH KHOG V ZDLYHU E\ PDMRULW\ YRWH

(7KH ILQDO GHFLVLRQ WK$SSHOODWH &RXUW RQ WKH
FDVH EURXJKW $SSHOODWH &RXUW RXWVLGH RI (OHFWLRQ 6H

) 7KH ILQDO KHDULQJ ZLOO IROORZ WKH VWDQGDUGV DQG
%UDQFK WKH VDPH DV DQ\ RWKHU FDVH UHFHLYHG E\ WKH
ZLWK 5XOH WKH FDVH PD\ EH KHDUG LQ D IRUPDW DJUHH

* ,Q WKH HYHQW RI DQ HTXDO QXPEHU RI 7ULEXQHV DSSHDO
EHIRUH $SSHOODWH &RXUW LQ ZKLFK WKH YHUGLFW UHVXOWV
,QIUDFWLRQDO VWDQGV

+ 7KH &RXUW VKRXOG EH JLYHQ VXEVWDQWLDO WLPH WR K
GHFLVLRQ ZKHQ $SSHDUV LQ WKH FDVH FRQFOXGHG DW WKH 067 &RXUW
067 SULRU WR WKH\ EHIRUH JUDGXDWLRQ WR UHYLHZ WKH F

$57,&/(,9 352&((',1*6 %()25(7+(&2857

5XOH 7ULDO 6FKHGXOH RI -XVWLFH WKH &RXUW UHVSRQV
FKRRVLQJ WKH GDWH WLPH DQG ORFDWLRQ IRU KHDULQJV
IHOORZ -XVWLFHV VKDOO EH QRWLILHG E\ WKH &RXUW
KRXUV H[FOXGLQJ GXULQJ &RXUW VHVVLRQ QRWLI\ WK
5HVSRQGHQW RI DQ\ WLPH OLPLWDWLRQV XSKHOG GXULQJ

5XOH %XUGHQ RI SURRI WKH SDUWLHV VR SURYLGH
EHIRUH WKH &RXUW ZLOO EH VHW LQ DGYDQFH RU DW WKH

5XOH 7\SH RI $UJXPHQW 7KH &RXUW PD\ KHDU FDVHV LQ ³WULDO IRUP
IRUPDW ´ RU LQ DQ\ IRUPDW GHVFULEHG LQ DGYDQFH RU D
7KH WZR WUDGLWLRQDO IRUPDWV DUH GHVFULEHG EHORZ

5XOH 7ULDO)RUPDW 3HWLWLRQHU 3UHVHQWDWLRQ RI ILUVW
LPSUHVVLRQ XQOHVV DQQRXQFHG RWKHUZLVH E\ WKH &RX
EH XVHG WR SUHVHQW D FDVH EHIRUH WKH &RXUW

3HWLWLRQHU V RSHQLQJ VWDWHPHQW

5HVSRQGHQW V RSHQLQJ VWDWHPHQW

3HWLWLRQHU LQ FKLHI SUHVHQWLQJ HYLGHQFH DQG F
$W WKH FRQFOXVLRQ RI HDFK ZLWQHVV WKH
RSSRUWXQLW\ WR FURVV H[DPLQH WKDW ZLWQHVV)RO

SHWLWLRQHU PD\ GLUHFW H[DPLQH WKH ZLWQHVV DJD
UHVSRQGHQW¶V H[DPLQDWLRQ

5HVSRQGHQW¶V LQ FKLHI SUHVHQWLQJ HYLGHQFH DQG
$W WKH FRQFOXVLRQ RI WKH 5HVSRQGHQW¶V HDFK ZLWQHVV WK
WKH RSSRUWXQLW\ WR FURVV H[DPLQH WKDW ZLWQHVV
UHVSRQGHQW PD\ GLUHFW H[DPLQH WKH ZLWQHVV DJD
SHWLWLRQHU¶V H[DPLQDWLRQ

3HWLWLRQHU¶V UHEXWWDO

5HVSRQGHQW¶V VXUUHEXWWDO

3HWLWLRQHU¶V UHVSRQVH WR 5HVSRQGHQW¶V OLPLWHG WR DOO
GXULQJ WKH 5HVSRQGHQW¶V VXUUHEXWWDO

% %RWK WKH FRPSODLQDQW¶V DQG UHVSRQGHQW¶V PD\
SDUW\ PD\ EULQJ DQ DGYLVRU RI WKHLU FKRLFH LQFOXGL
DQ\ SURFHVV PHHWLQJ LQFOXGLQJ WKH SUHKHDULQJ FRQIHUHQFH RI LPPHGLDWH WR
EHIRUH WKH -XGLFLDO %UDQFK PD\ EH UHYRNHG DW WKH G

5XOH $SSHDUDQFH $UJXPHQW 3UHVHQWDWLRQ $SSHDOV IURP WKH GHF
RWKHU MXGLFLDO ERGLHV XQOHVV DQQRXQFHG RWKHUZLV
XVHG WR SUHVHQW D FDVH EHIRUH WKH &RXUW

3HWLWLRQ DUJXPHQWV DU

5HVSRQGHQW¶V DUJXPHQWV DU

3HWLWLRQHU¶V UHEXWWDO OLPLWHG RQO\ WR DUJXPHQWV UHVSRQGLQJ W

5XOH 9LUWXDO 7ULDOV 7KH =RRP OLQN IRU YLUWXDO KHDULQJ ZLOO
SRVWHG RQ WKH 6*$ ZHEVLWH XQGHU WKH -XGLFLDO %UDQFK¶

5XOH &RXUW RUGHUHG DQG &RQGXFW $UELWUDWLRQ &RXUW WR RUGHU
WKH &KLHI -XVWLFH WR &KLHI -XVWLFH [illegible]

5XOH $XWKRULW\ 'HFLVLRQV RI WKH $UWLFOH ,9 'HULYH D
3DUDJUDSK % RI WKH 7KH 86*+ &RQVWLWXWLRQ DQG DGG WR
SURYLVLRQ

5XOH)LQDO -XGJPHQW &RXUW VKDOO LVVXH D ILQDO FDVH ZKLFK
DUJXHG E\ WKH SDUWLHV LQ D KHDULQJ EHIRUH WKH &RXUW
ZULWWHQ GHFLVLRQ E\ WKH &RXUW LV GHOLYHUHG WR WKH
SULPDU\ FRQWDFW WR WKH SDUWLHV RI WKH FRQWHQW IRU WKH UHVSRQ
WKH -XGLFLDO %RDUG ZLOO KDYH VHYHQ EXVLQHVV GD\V W
RSLQLRQ RI WKH &RXUW

5XOH 6XPPDU\ -XGJPHQW &RXUW VXPPDU\ MXGJPHQW LQ D FDV
&RXUW GHWHUPLQHV WKDW QR JHQXLQH LVVXH RI PDWHULD
RI DUJXPHQW LV XQQHFHVVDU\ MXGJPHQW EHFRPHV ILQDO ZKH
WKH &86* EXOOHWLQ ERDUG

5XOH 'HIDXOW -XGJPHQW &RXUW PD\ LVVXH MXGJPHQW DJDLQVW D SDU
WR DELGH E\ WKH &RXUW ZLOO LVVXH D FRQWLQXDQFH RI D
VKRZQ

5XOH ,QMXQFWLRQ 7KH &RXUW PD\ LVVXH DQ LQMXQFWLRQ
XSRQ WKH VKRZLQJ RI VXEVWDQWLDO SRVVLEOH LUUHSDUDEOH
UHVWUDLQLQJ VXFK DFWLRQV XQWLO ILQDO UHVWPH