

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge William J. Martínez**

Civil Action No. 15-cv-1974-WJM-KLM

DAVID MUELLER,

Plaintiff and CounterDefendant,  
v.

TAYLOR SWIFT,

Defendant and CounterClaimant,

and

FRANK BELL, and  
ANDREA SWIFT a/k/a Andrea Finlay,

Defendants.

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**AMENDED TRIAL DECORUM ORDER**

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To ensure that the trial and related proceedings in this matter are conducted in an orderly manner conducive to a fair adjudication, and to facilitate appropriate access to the Court both for those involved in and attending the trial of this matter as well as for those with other cases and business before the Court, the Court hereby ORDERS as follows:

**Jury Selection Procedures**

1. On Monday, August 7, 2017, prospective jurors will report to the Alfred A. Arraj Courthouse for completion of a Supplemental Questionnaire. Upon completion, the Supplemental Questionnaires will be delivered to the Court

- and to the parties for review. The Court will determine whether to initially excuse any prospective jurors for cause based upon the answers provided in the Supplemental Questionnaire. All potential jurors not so excused will then report to Courtroom A801 to complete the remainder of the jury selection process.
2. Because the number of prospective jurors reporting in this case will fill the available seating capacity of Courtroom A801 during initial jury selection, no public or media seating will be available in Courtroom A801 during the jury selection process. Overflow options (described further below) will be provided during the jury selection process for members of the media and the public.
  3. The Court anticipates beginning jury selection at some point in the early afternoon on Monday August 7, 2017, and completing it not later than approximately 12:00 p.m., on Tuesday, August 8, 2017. The parties' opening arguments and trial presentations will follow the completion of jury selection and the empaneling of a jury.
  4. Potential jurors will not be permitted access to electronic communications devices during the course of jury selection.
- Trial**
5. After selection of a jury, trial will commence in Courtroom A801 of the Alfred A. Arraj Courthouse.

6. The courthouse will open at 7:00 a.m. each morning. In order to enter the courthouse, all individuals must present valid government-issued photo identification, such as a driver's license or passport.
7. The courthouse will close at 6:00 p.m. each evening. All members of the public must exit before this time.
8. No device whose exclusive or principal use is as a camera or video recorder may be brought into or used in the courthouse or any location in which court business and proceedings are conducted. There is absolutely no photography or recording permitted anywhere within the courthouse.

### **Trial Courtroom**

9. Trial will generally be conducted Monday through Friday from 8:45 a.m. to 5:00 p.m. Courtroom A801 will open to parties, their attorneys, and credentialed members of each party's trial team (as described in ¶¶ 12 & 14, below) between 8:00 and 8:15 a.m. each morning, and those persons must enter the courtroom promptly at that time. The courtroom will open to the public, including credentialed media representatives, between 8:15 and 8:30 a.m., and all members of the public and media representatives must be seated by 8:30 a.m. The Court will typically bring in the jurors and begin trial proceedings at 8:45 a.m. Counsel should inform the Court as far as possible in advance if they anticipate the need to address any matters outside the presence of the jury. There will generally be a 75 minute lunch recess between approximately 12:15 p.m. and 1:30 p.m., as well as a mid-morning and mid-afternoon break, each lasting approximately 20 minutes. The Court

will direct the exact schedule each day, and this typical schedule is subject to modifications as required during the course of trial.

10. No electronic devices of any kind (cell phones, laptops, iPads, etc.) will be permitted inside Courtroom A801, except for parties, their attorneys, and court staff, as described below.
11. Parties, attorneys of record and their ancillary legal support staff, court staff, and court security staff may have cell phones, PDAs, Blackberries, tablets, laptops, or other digital or electronic devices in the courtroom only for use for trial purposes, and provided that any audio, video, or image recording functions on those devices are not utilized.
12. Five seats in the first row of the courtroom gallery, immediately behind the Plaintiff's counsel and trial team tables, will be reserved for family members, personal representatives, or other individuals attending trial in immediate support of the Plaintiff. Seven seats in the first row of the gallery, immediately behind the Defendants' counsel and trial team tables, will be reserved for family members, personal representatives, or other individuals attending trial in immediate support of the Defendants. Attorneys for the parties must identify in advance any individuals they wish to be seated in these locations, and they will be given credentials for entry, as set out in ¶ 14, below.
13. Two additional seats in the first row of the courtroom gallery, plus any additional seats reserved for family/personal representatives but not so used, will be reserved for court staff, as needed. In addition, any attorneys who appear with prior leave of the Court to represent non-parties with an interest

- in this case will be seated in the front row, which may reduce the number of seats available for family/personal representatives during portions of the trial. Members of the public and the media will not sit in these first rows, which are not physically separated from the well of the Court.
14. Attorneys of record, their ancillary legal support staff, and any family members/personal representatives designated by the Plaintiff (5) and the Defendant (7) will each be provided a court-issued credential. This credential will permit an individual to move to the front of the security screening lines when entering the courthouse. Parties shall provide a by-name list to chambers and the Clerk of Court **not later than August 2, 2017** of each person to be credentialed. This list shall also designate each listed person's status: attorney of record, ancillary legal support staff, or family member/personal representative.
  15. Attendees in the trial courtroom may not converse or make gestures that are disruptive to the proceedings or distract jurors or witnesses. Attendees in the trial courtroom must remain seated during all proceedings, and may not leave the courtroom until the Court recesses.
  16. No one observing the trial proceedings in the trial courtroom or any overflow location may wear or carry any clothing, buttons, or other items that carry any message or symbol addressing the issues related to this case that may be or become visible to the jury. This includes a prohibition of any sign or clothing bearing the name or likeness of any of the parties. No banners, posters, or similar items are permitted within the courthouse.

17. No food or beverages, with the exception of water, will be permitted in the courtroom gallery or in any overflow location.
18. One or more courtroom security officers shall be present in the courtroom to ensure compliance with the Court's orders.

**Public Access**

19. Thirty-two seats will be designated and reserved in the courtroom gallery for members of the public.
20. A public overflow location in the courthouse with a closed circuit video feed of the proceedings will be made available for up to 75 members of the public.
21. The reservation and assignment of available seats in the courtroom gallery and in the overflow location that are set out by this Order may be modified by the Court during the course of trial, as is necessary and appropriate for the safe and orderly conduct of trial.
22. Members of the public must obtain a pass in order to secure a seat in the courtroom or the public overflow location. Separate passes for courtroom and the overflow location will be issued for both the morning and afternoon sessions of each trial day.
23. A public pass line will be established in a designated location outside of the Arraj Courthouse. Except on Monday, August 7, 2017, members of the public may begin lining up in the designated pass line not earlier than 6:00 a.m. each morning, and passes for both the morning and afternoon sessions will all be distributed at approximately 7:00 a.m.. Members of the public that receive a pass for the afternoon session may return to the pass line beginning

- at 11:30 a.m. on that particular day. On Monday, August 7, 2017 only, members of the public may begin lining up at 11:00 a.m., for admission to the public overflow location beginning at approximately 12:30 p.m.
24. No passholder will be permitted to bring any kind of electronic device (cell phone, laptop, iPad, etc.) into the courtroom or the overflow location. Passholders are strongly encouraged not to bring any electronic devices to the courthouse; however, cell phones may be checked upon entry to the courthouse. Any passholder attempting to enter the courtroom or overflow area with a prohibited item (*i.e.*, a cell phone, laptop, iPad, etc.) will forfeit their pass.
25. A courtroom security officer shall be present in the public overflow room to ensure compliance with the Court's orders.
26. To ensure that public access to the courthouse is not impeded, a designated location outside the Arraj Courthouse will be established as a public standing area.

#### **Media Access**

27. All media desiring to attend or observe this trial in any capacity must register in advance for credentials at:  
<https://www.cod.uscourts.gov/Media/Register.aspx>
28. Early registration is strongly encouraged, and media must register by July 31, 2017, to ensure a credential will be available by August 7th, when trial begins. Applications received after July 31st will be processed as quickly as possible, but no specific delivery timetable is guaranteed.

29. Media credentials must be picked up at the Alfred A. Arraj courthouse in person, from the Office of the Clerk of Court, Room A238. The credentials must be publically displayed throughout the duration of the trial and may not be duplicated or shared.
30. Fourteen seats will be designated and reserved in the courtroom gallery for credentialed members of the media. The Clerk of Court is responsible for the allocation of in-court seating for credentialed media during each trial day. It is anticipated that members of the media will be seated in the back row of the courtroom gallery.
31. A separate media overflow location with a closed circuit TV feed of the proceedings will be made available for up to 150 credentialed media members.
32. Electronic devices other than dedicated cameras or recording devices (including cell phones, laptops, iPads, etc.) will be permitted for credentialed media in the media overflow location, provided that any audio, video, or image recording functions on those devices are not utilized.
33. Telephone calls must be made and answered outside of the media overflow location.
34. Unless otherwise ordered, the media overflow location will open at 8:00 a.m. each morning and will close 30 minutes after court concludes for the day, but in no case any later than 6:00 p.m. each day. On Monday, August 7, 2017 only, the media overflow location will open at approximately 12:30 p.m.



35. Wireless/Internet access will not be provided by the Court anywhere in the courthouse or on its grounds.
36. One or more courtroom security officers shall be present in the media overflow location to ensure compliance with the Court's orders.
37. To ensure that public access to the courthouse is not impeded, a designated location outside the Arraj Courthouse will be established for credentialed media to set up cameras, conduct interviews, etc. This will be the only outside location in which cameras may be set up and interviews conducted. Only credentialed media representatives will be permitted access to this area. Interviews or broadcasts of any kind are not permitted to be conducted within the courthouse; these must occur outside the courthouse within the designated media area.

#### **Juror Contacts and Security**

38. Following jurors, obtaining their license plate numbers, photographing them, or attempting in any way to obtain their identities is prohibited.
39. Conversations, interviews, and written communications with prospective jurors, and with seated members of the jury before the Court has discharged the jury, are prohibited.
40. After the jury has been discharged after its final verdict, any juror may consent to be interviewed by the media or other persons. Jurors are not obligated to discuss this case with anyone at the trial's conclusion, and if any juror indicates his or her desire not to discuss the trial or to be contacted, there shall be no further attempts to contact or communicate with that juror.

41. Any sketch artists rendering drawings of Court proceedings are prohibited from drawing detailed sketches of the faces or other identifying characteristics of any member of the jury. Only silhouettes or outlines with no distinguishing features will be permitted.

#### **Witnesses**

42. Prospective trial witnesses shall arrive well in advance of the time they are anticipated to testify and proceed to Courtroom A801. A witness seclusion order will be in effect. No witnesses may enter the courtroom before their testimony. All witnesses shall wait in the small room ordinarily marked "Attorney Conference Room," located on the left (south) side of the alcove outside Courtroom A801. The small room on the opposite side, ordinarily marked "Witness Waiting Room" may be entered and used only by Court security staff during this trial. Temporary signs designating use of these rooms will be posted.

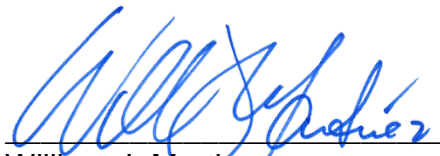
#### **Other Provisions**

43. The United States Marshal (Acting) and his Deputies shall be responsible for maintaining order and decorum in the courthouse. All persons attending or participating in this trial must promptly comply with any orders given by the Marshal or his Deputies.
44. The diagram attached below as "Exhibit A" designates media, public assembly, and public pass line areas outside of the Alfred A. Arraj Courthouse. All other areas must remain clear for ingress and egress to the courthouse.

45. A separate non-public addendum is appended to and herein incorporated by reference into this decorum order, to address in greater detail non-public security procedures established for this this trial. This addendum is law-enforcement sensitive and shall not be released to anyone who is not a party or an attorney of record in this case.
46. The Court's ongoing duty to conduct this trial in a safe and orderly manner may result in the modification or amendment of any of the requirements of this order.
47. Any violation of the terms of this Order, of the Court's rules, including the Local Rules of this District, or of any order issued by the presiding judge, will be grounds for the revocation of media credentials from media representatives, removal from the courthouse, and/or for imposing other sanctions for contempt of court.

Dated this 2<sup>nd</sup> day of August, 2017.

BY THE COURT:



William J. Martinez  
United States District Judge

**EXHIBIT A**

