

1.3 What is Evidence

The evidence you are to consider in deciding what the facts are consists of:

First, the sworn testimony of any witness; [and]

Second, the exhibits that are received in evidence[.] [; and]

[Third, any facts to which the parties agree.]

Comment

“When parties have entered into stipulations as to material facts, those facts will be deemed to have been conclusively established.” *United States v. Houston*, 547 F.2d 104, 107 (9th Cir. 1976) (citation omitted).

Revised Sept. 2019