



**Admissions of Fact**

List all facts that the parties stipulate and agree are undisputed.

**Contested Issues of Fact**

List all disputed factual issues that are necessary to the final disposition of this case.

**Agreed Applicable Propositions of Law**

List all legal propositions that are not in dispute.

**Contested Issues of Law**

Briefly state the disputed legal issues. Separately, each party (or side) must file a memorandum of law that addresses these issues in greater depth.

**Exhibits and Exhibit Lists**

Each party must attach two copies of a list (*see* Attachment A for sample form) of all exhibits expected to be offered. Each party must make the exhibits available for examination by the opposing parties.

All parties requiring authentication of an exhibit must notify the offering counsel in writing within 7 days after the exhibit is listed and made available to opposing parties. Failure to do so may be deemed an admission of authenticity. *See* S.D. Tex. L.R. 44.1.

At the Court's discretion, exhibits listed in the final Joint Pretrial Order may be admitted into evidence unless the opposing party files written objections, supported by authority, at least 7 days before trial.

The offering party must mark its own exhibits before trial to include the party's name, case number, and exhibit number on each exhibit.

**Witnesses**

List separately the names and addresses of witnesses who will be called and those who may be called and include a brief description of the subject matter and substance of their testimony.

If a witness is to appear by deposition, cite the inclusive pages and lines to be presented and indicate whether the testimony will be offered in video form. Objections to the proposed designations (citing pages and lines) must include supporting authority must be filed at least 7 days before trial.

If any other witnesses are to be called at trial, their names, addresses, and the subject matter of their testimony must be reported to opposing counsel as soon as they are known. This restriction does not apply to a purely rebuttal or impeaching witness, but only if that witness's necessity or testimony could not reasonably have been anticipated before trial.

### **Settlement**

Include a statement explaining whether all settlement efforts have been exhausted and whether the case can reasonably be expected to settle.

### **Trial**

Provide the following information:

- (a) whether this is a jury or non-jury trial;
- (b) the probable length of trial; and
- (c) the availability of witnesses.

### **Additional Required Attachments**

***Motions in limine.*** State whether any party is filing a motion in limine. (Note that all motions in limine must be filed along with the Joint Pretrial Order.)

***Jury trials.*** For jury trials, submit the following:

- (a) proposed questions for the venire panel;
- (b) proposed jury instructions, definitions—with each instruction and definition numbered, presented on a separate page, and supported by citations to authority—and a separate proposed verdict form; and
- (c) memorandum of law.

***Non-jury trials.*** For bench trials, submit proposed findings of fact and conclusions of law.

