

Form 6

Joint Pretrial Order

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

_____	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil No. _____
	§	
_____	§	
	§	
Defendant.	§	

JOINT PRETRIAL ORDER

1. Appearance of Counsel

Identify in separate paragraphs each party and its respective counsel. List the addresses, telephone numbers, and e-mail addresses of counsel.

2. Statement of the Case

Set forth a brief, agreed statement of the case. In a jury trial, the Court will read this statement to the jury panel during voir dire examination. Include names, dates, and relevant places. Briefly state the parties' contentions and the issues requiring resolution at trial.

3. Jurisdiction

Briefly state why the Court has jurisdiction of the subject matter and the parties. Identify any unresolved jurisdictional questions or whether any party disagrees.

4. Claims Remaining

Identify all claims remaining including the party affected.

5. Motions

Identify any pending motions other than motions *in limine*.

6. The Parties' Contentions

State concisely in separate paragraphs the contentions that are necessary to the relief sought in the case. Include only those that are an essential basis for resolving the case. A lengthy list of nonessential contentions is not helpful.

7. Admissions of Fact

List only those admitted or otherwise undisputed facts that require no proof and are necessary to the disposition and relief sought in the case. In a jury trial, advise whether any of these facts should be read to the jury.

8. Agreed Applicable Propositions of Law

State only those undisputed legal propositions that are necessary to the disposition and relief sought in the case.

9. Exhibits

Each party must file as a separate document and attach to this Joint Pretrial Order a list of all exhibits expected to be offered. Use Form 7 to prepare the trial exhibit list.

Exhibit lists may not be amended or supplemented after the date the Joint Pretrial Order is filed unless by agreement.

Objections to any exhibit shall be filed no later than three business days after the date the Joint Pretrial Order is filed. Responses to those objections shall be filed no later than six business days after the date the Joint Pretrial Order is filed. Boilerplate objections or responses will not be considered.

Each offering party must mark its own exhibits. Include the party's name, case number, and exhibit number on each exhibit.

Seek agreement on the form of exchange. Absent agreement, exchange well-organized USB drives or provide for similar electronic transfer or download. Exchange all exhibits no later than the date the Joint Pretrial Order is filed. Do not provide copies of all exhibits to the Court. Instead, provide only copies of exhibits to which objections are lodged no later than seven calendar days after the Joint Pretrial Order is filed.

Follow Section 20 of the Court's Procedures in all respects, including as to admission of exhibits.

10. Witnesses

List in separate paragraphs the names and addresses of witnesses that each party intends in good faith to call in its case-in-chief. Include a brief statement of the subject matter and substance of the testimony of each.

Include the following statement:

“If any other witnesses will be called at the trial, their names, addresses, and the subject matter of their testimony will be reported to opposing counsel as soon as they are known. This restriction will not apply to rebuttal or impeachment witnesses, the necessity of whose testimony cannot reasonably be anticipated before trial.”

Each party must file as a separate document and attach to this Joint Pretrial Order a list of all witnesses. Use Form 8 to prepare the trial witness list. Prepare the list as per Section 21 of the Court’s procedures.

Each party must also file as a separate document and attach to this Joint Pretrial Order any intended deposition designations. Prepare the designations as per Section 22 of the Court’s procedures. Use Form 9 to prepare the deposition designations.

Objections to any deposition designation shall be filed no later than three business days after the date the Joint Pretrial Order is filed. Responses to those objections shall be filed no later than six business days after the date the Joint Pretrial Order is filed. Boilerplate objections or responses will not be considered.

11. Trial

State whether the trial will be jury or nonjury; the probable length of trial; and any foreseeable logistical problems, including the availability of witnesses or unusual exhibits. Briefly state the position of each party as to the suitability of notetaking by jurors.

12. Additional Required Attachments

For any jury trial, each party must file as a separate document and attach to this Joint Pretrial Order the following additional attachments.

- Any motion *in limine* as per Section 23 of the Court’s Procedures;
- Proposed topics and questions for examination of prospective jurors as per Section 24 of the Court’s Procedures; and
- A proposed joint jury charge as per Section 25 of the Court’s Procedures.

For any bench trial, each party must file as a separate document and attach to this Joint Pretrial Order the following additional attachment.

- Proposed findings of facts and conclusions of law as per Section 26 of the Court's Procedures.

It is **SO ORDERED**.

Signed this ___ of _____, 20__.

Nicholas J. Ganjei
United States District Judge

APPROVED:

Date

[Plaintiff Signature Block]

Date

[Defendant Signature Block]