

APPENDIX E
TO THE LOCAL RULES OF THE SOUTHERN DISTRICT OF TEXAS

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:	§	
	§	
DEBTOR.	§	CASE NO.
	§	
PLAINTIFF,	§	ADVERSARY NO.
v.	§	
	§	
DEFENDANT.	§	

COMPREHENSIVE SCHEDULING, PRE-TRIAL AND TRIAL ORDER

A pretrial conference was held on _____. The parties submitted a Rule 26 Report:

- A. _____ which is attached and is accepted by the Court except as modified by this order; or
- B. _____ which is filed at docket # ____ and is accepted by the Court except as modified by this order.

Under authority of Fed. R. Bankr. P. 7016 and Fed. R. Civ. P. 16, it is hereby **ORDERED** that the following deadlines and settings shall apply in the above referenced adversary:

- 1. All discovery in this case must be completed on or before_____.
- 2. The party with the burden of proof on an issue must serve its expert reports no later than _____. Rebuttal expert reports must be served no later than _____.
- 3. Dispositive motions may not be filed after _____. Any responses to dispositive motions must be filed within 20 days after a dispositive motion is filed. The Court additionally orders:
 - A. _____ Courtesy copies of dispositive motions and responses must be mailed or delivered to the Court's chambers when they are filed with the Clerk.

B. _____ Dispositive motions may not be filed until discovery is completed.

4. Witness and Exhibit Lists must be exchanged at least 2 working days prior to the face to face meeting required in the following paragraph. Copies of the exhibits shall be attached to the Exhibit List.

5. Counsel must meet face to face to attempt to resolve these issues amicably, to attempt to stipulate to as many facts and issues as possible, and to prepare the pretrial order. This face to face meeting must occur prior to _____. The court intends that this will be a substantive, good faith effort to resolve issues. Therefore trial counsel (lead counsel) are required to attend this meeting in person. Counsel who are not present at this meeting may not be permitted to participate in the trial.

6. The parties must jointly prepare and file a proposed form of pretrial statement not later than _____. The proposed form of statement must be signed by counsel for both parties and must be in the form set forth as Appendix C on the Court's website.

7. Copies of exhibits must be attached to the pretrial statement. Relevant portions of lengthy exhibits must be highlighted. Counsel must also attach succinct memoranda on disputed issues of law. A courtesy copy of the pretrial order must be delivered to chambers when the pretrial order is filed with the clerk.

8. A Pre-Trial Conference will:

A. _____ Not be held.

B. _____ Be held on _____ at _____ .m. Attendance by all parties is required, either in proper person (if not represented by counsel) or by an attorney who has authority to bind the party. Each party must have a representative present with full settlement authority.

9. Trial of this adversary proceeding will commence on _____ at _____ .m. It is estimated that trial can be completed in _____ hours of trial time.

IT IS FURTHER:

ORDERED that changes to this Scheduling Order may only be made by further order of this Court. A motion to extend any deadline and/or alter any hearing date will only be granted for good cause shown beyond the control of the lawyers and/or parties and only in very limited circumstances.

SIGNED:

UNITED STATES BANKRUPTCY JUDGE