

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION**

Plaintiff,	§	
	§	
	§	CIVIL ACTION NO. 5: __-CV-__
	§	
vs.	§	
	§	
	§	
	§	
Defendant.	§	

JOINT PRETRIAL ORDER

1. **Appearance of Counsel.** List each party, its counsel, and counsel’s address and telephone number in separate paragraphs.
2. **Statement of the Case.** Give a brief statement of the case, one that the Judge could read to the jury panel for an introduction of the facts and parties; include names, dates, and places.
3. **Jurisdiction.** Briefly specify the jurisdiction of the subject matter and the parties. If there is an unresolved jurisdictional question, state it.
4. **Motions.** List pending motions.
5. **Contention of the Parties.** State concisely in separate paragraphs each party’s claims.
6. **Admission of Fact.** List all facts that require no proof.
7. **Contested Issues of Fact.** List all material facts in bona fide controversy.
8. **Agreed Propositions of Law.** List the legal propositions that are not in dispute.
9. **Contested Propositions of Law.** State briefly the unresolved questions of law, with authorities to support each.
10. **Exhibits.**
 - A. Each party will attach two lists of all exhibits expected to be offered and will make the exhibits available for examination by opposing counsel. All documentary exhibits must be exchanged before trial, except for rebuttal exhibits or those whose use cannot be anticipated.

B. A party requiring authentication of an exhibit must notify the offering counsel in writing within five days after the exhibit is listed and made available; failure to object in writing in advance of the trial concedes authenticity.

1) Within reason, other objections to admissibility of exhibits must be made at least three business days before trial with copies of the disputed exhibit and authority.

2) Parties must mark their exhibits to include the date and case number on each.

3) At the trial, the first step will be the offer and receipt in evidence of exhibits.

11. **Witnesses.**

A. On a separate form, each party will attach four lists with the names and addresses of witnesses who may be called with a brief statement of the nature of their testimony.

B. Include: If other witnesses to be called at the trial become known, their names, addresses, and subject of their testimony will be reported to opposing counsel in writing as soon as they are known; this does not apply to rebuttal or impeachment witnesses.

12. **Settlements.** State that all settlement efforts have been exhausted, and the case will have to be tried.

13. **Trial.** State estimated length of trial and logistical problems, including availability of witnesses, out-of-state people, bulky exhibits, and documentation.

14. **Attachments.** Each party must file as a separate document (captioned, signed by counsel, and with service certified) these required attachments in duplicate.

A. For a jury trial:

(1) Proposed questions for the *voir dire* examination.

(2) Proposed charge, including instructions, definitions, and special interrogatories, with authority.

B. For a non-jury trial:

(1) Proposed findings of fact with agreed and contested ones separated.

(2) Conclusions of law with authority.

United States District Judge

Date: _____

Approved by:

Attorney-in-Charge, Plaintiff

Date: _____

Attorney-in-Charge, Defendant

Date: _____