UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

Choose an item. DIVISION

|  |  |  |  |
| --- | --- | --- | --- |
|       |  | Civil No. |       |
| Plaintiff |  |
|  |  |
| VS. | Judge | Edwards |
|       | Magistrate Judge |  |
| Defendant |  |

**PRETRIAL ORDER**

Following pretrial proceedings in this cause pursuant to the procedure of this court, **IT IS ORDERED:**

A.

 This is an action for: (State nature of action, including damages or other relief sought and identification of parties.)

B.

 The parties and their legal relationships are as follows: (State legal relationship of all parties with reference to claims, counterclaim, third-party claims, etc. In a direct action against insurer, the insured must be identified.)

C.

 Statement of jurisdiction: (State the facts and statutory basis for federal jurisdiction.)

D.

 The following facts are stipulated by the parties and require no proof: (Numerical listing of uncontested material facts.) To narrow issues and to eliminate unnecessary witnesses, counsel’s best efforts are expected in preparing stipulations.

E.

 The contested facts are: (Each issue shall be stated as a concise narrative of each party’s contention about each issue; the issue SHALL NOT be offered solely as a question.) (Example: 1. The plaintiff contends the manifold was defective at the time of manufacture. 2. The defendant contends the plaintiff modified the manifold and exhaust system.)

F.

 The contested issues of law to be determined by the Court: (Each issue shall be stated as a concise narrative of each party’s contention about each issue; the issue SHALL NOT be offered solely as a question.)

G.

 The following depositions and answers to interrogatories will be offered in evidence: (Prior to trial, counsel shall edit from the deposition irrelevant material. **Complete, unedited deposition transcripts will not be admitted for use during trial.**)

H.

 The E-Government Act requires that all witness lists be filed by the clerk under seal. Therefore, witness lists shall **not** be included within, or submitted as an exhibit or attachment to, the pretrial order. Instead, the parties are instructed to file, contemporaneously with the filing of the pretrial order, a JOINT witness list (as a separate filing) that (1) identifies all expert and fact witnesses expected to be called at trial; (2) includes a brief summary of each witnesses’ expected testimony; and (3) sets forth any objection to the testimony of a listed witness. All objections shall identify the objected party and provide a pinpoint citation to the applicable Federal Rule of Evidence and any other supporting authority. The joint witness lists shall be separated by party and divided into “may call” and “will call” categories. Witnesses who are called exclusively for impeachment need not be listed.

I.

 There is no objection to the exhibits listed below, except as follows: (Exhibits are to be submitted JOINTLY with any objections briefly noted **immediately following** the specific exhibit. The objection should indicate the objecting party, the Federal Rule of Evidence and any pinpoint citation which supports the objection.)

J.

 This is a [ ]  jury or [ ]  non-jury case. (In a jury case, indicate whether the jury trial is applicable to all aspects of the case or identify those issues which will be tried by the jury.) Anticipated length of trial is       days.

K.

 The issue of liability [ ]  should or [ ]  should not be tried separately from that of quantum.

L.

 The undersigned hereby certify that this Pretrial Order has been formulated after [ ]  face-to-face or [ ]  telephone conference in which trial counsel for all parties were included. Reasonable opportunity has been afforded to counsel for corrections or additions, prior to signing. Hereafter, this Order shall control the course of the trial and may not be modified except by consent of the parties and the Court, or by the order of the Court to prevent manifest injustice.

APPROVED AS TO FORM AND CONTENT:

|  |  |  |
| --- | --- | --- |
|  |  |  |
| Signature of Attorney for Plaintiff |  | Signature of Attorney for Defendant |
|  |  |  |
| Name: |       |  | Name: |       |
| Firm: |       |  | Firm: |       |
| Address: |       |  | Address: |       |
|  |       |  |  |       |
| Telephone: |       |  | Telephone: |       |

ACTION BY THE COURT

 THE FOREGOING Pretrial Order has been approved by the parties to this action as evidenced by the signature of their counsel hereon, and the Order is hereby entered and will govern in the trial of this case.

 Alexandria, Louisiana, this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

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 JERRY EDWARDS, JR., DISTRICT JUDGE