UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
Hartford Division

In re:	:	
[ ]	:	Chapter __ Case No. __-____ (___)
Debtor(s)	:	
Plaintiff(s),	:	
- against -	:	Adv. Proc. No._____(___)
Defendant(s).	:	

Joint Pretrial Order

The parties, having conferred among themselves and with the Court at a hearing on notice and pursuant to Fed.R.Bankr.P. 7016, the following statements, directions and agreements are hereby adopted as the Pretrial Order herein.

I. NATURE OF THE CASE

[Set forth a brief statement of the general nature of the action and the relief sought by each party.]

SAMPLE

II. BASIS FOR JURISDICTION, WHETHER THE CASE IS CORE OR NON-CORE, AND WHETHER THE BANKRUPTCY JUDGE MAY ENTER FINAL ORDERS OR JUDGMENT

[Set forth the basis for subject matter jurisdiction and whether the case is core or non-core, and if core, whether the court can enter final orders and judgment. If these matters are disputed, the positions of each of the parties should be explained. Also, state that the parties are aware that they may seek final judgment from a United States District Judge and whether they consent to a United States Bankruptcy Judge entering final orders or judgment. *See, Wellness Intern. Network, Ltd. V. Sharif*, 135 S.Ct. 1932, 1948 (2015).]

III. RELIEF SOUGHT

The plaintiff shall set forth with specificity the relief sought, including where relevant each element of damages or the statutory relief sought (*i.e.*, that a debt be declared non-dischargeable under 11 U.S.C. § 523, that the debtor be denied a discharge under 11 U.S.C. § 727, etc.).

IV. STIPULATED FACTS

[Give a plain, concise statement in separate, numbered paragraphs of the agreed facts pertaining to (a) liability, (b) damages, and (c) any special defenses, counterclaims, cross-claims of third-party claims. Multiple representations of fact within each separately numbered paragraph is not recommended. Counsel should include a statement as to whether presentation of the case, in whole or in part, is feasible and/or advisable upon a formal Agreed Statement of Facts.]

V. PARTIES' CONTENTIONS

The pleadings are deemed amended to embrace the following, and only the following, contentions of the parties:

A. Plaintiff's Contentions

[Set forth a brief statement of the plaintiff's contentions in separately numbered paragraphs as to all ultimate issues of fact and law.]

B. Defendant's Contentions

[Set forth a brief statement of the defendant's contentions in separately numbered paragraphs as to all ultimate issues of fact and law.]

SAMPLE

VI. PREVIOUS SUBSTANTIVE MOTIONS

[List all previous litigation among the parties in any other forum, motions to dismiss, for summary judgment, for separate trial of issues, for consolidation of cases, for change of venue, or any other motion and the disposition or status thereof.]

VII. ISSUES TO BE TRIED

[Set forth an agreed statement of the issues to be tried.]

VIII. PLAINTIFF'S EXHIBITS

[See next section for description of content to be included here].

IX. DEFENDANT'S EXHIBITS

[List (a) all exhibits stipulated to be admissible, (b) plaintiff's proposed additional exhibits and (c) any other party's proposed additional exhibits. Such lists shall make reference to all documents or other exhibits which the party expects to offer at trial (including those expected to be used only for impeachment or rebuttal), including depositions, answers to interrogatories and responses to requests for admissions.]

[Listing of an exhibit does not imply an obligation on the party listing it to offer the exhibit in evidence. If one party lists an exhibit, the other parties need not list it. However, failure by any party to list an exhibit, absent a showing of cause, is presumptive ground to deny admission into evidence. Exhibits shall be marked for designation (letters for plaintiff; numbers for defendant; initials to be added if multiple plaintiffs or defendants). Whenever a subject matter will reasonably require itemization, computation or illustration, counsel shall prepare as proposed trial exhibits and list under this heading such schedules, summaries, diagrams, photographs or other similar exhibits as may be reasonably necessary for a clear presentation of the subject matter, having due regard for Federal Rule of Evidence 1006.]

[No exhibit not listed by plaintiff or defendant may be used at trial except (a) for cross-examination purposes or (b) if good cause for its exclusion from the pretrial order is shown. Each side shall list all exhibits it intends to offer on its case in chief. The list shall include a description of each exhibit. After the Final Pre-trial Conference, the parties shall obtain exhibit stickers from the Court and all exhibits shall be pre-marked with an exhibit sticker bearing a unique letter or number (numbers for plaintiff and letters for defendant). Two copies of each exhibit shall be delivered to chambers with the proposed pretrial conference order.]

SAMPLE

[No later than two (2) weeks before trial, the parties *must*: (A) exchange with each other a copy of all exhibits that they intend to offer at trial; and, (B) submit to chambers a copy of each exhibit that the parties have agreed is admissible in a three-ring binder, with tabs for each exhibit and an index. (At trial, a second indexed, tabbed and bound copy must be supplied for use by witnesses. A third set of unbound original exhibits are necessary for the court for entry into evidence.)]

[By no later than one (1) week before trial, each party may submit a brief outlining its objections to the other party's proposed exhibits (other than those concerning relevance). The brief need only contain a simple chart stating the nature of the objection without explanation.]

[Unless otherwise ordered by the Court, no later than one (1) week before trial the parties shall also submit to the Court all evidence to be offered at trial in digital form (i.e., PDF, Excel, etc.) with a copy to all other parties.]

X. STIPULATIONS AND OBJECTIONS WITH RESPECT TO EXHIBITS

Any objections not set forth herein will be considered waived absent good cause shown. [The parties shall set forth any stipulations with respect to the authenticity and admissibility of exhibits and indicate all objections to exhibits and the grounds therefor.]

XI. PLAINTIFF'S WITNESS LIST

a. EXPERTS

[List any stipulations relating to the number or nature of experts to be called by parties or the Court and provide a brief summary of each expert' proposed testimony and qualifications, consistent with the provisions of Bankruptcy Rule 7026(b)(4).]

b. FACT WITNESSES

XII. DEFENDANT'S WITNESS LIST

a. EXPERTS

[List any stipulations relating to the number or nature of experts to be called by parties or the Court and provide a brief summary of each expert' proposed testimony and qualifications, consistent with the provisions of Bankruptcy Rule 7026(b)(4).]

b. FACT WITNESSES

SAMPLE

The witnesses listed in Sections XI and XII may be called at trial. No witness not identified herein shall be permitted to testify on either party's case in chief absent good cause shown. Each party shall list the witnesses it intends to call on its case in chief and, if a witness's testimony will be offered by deposition, shall designate by page and line numbers the portions of the deposition transcript it intends to offer. Each party shall set forth any objections it has to deposition testimony designated by the other and the basis therefor.

XIII. REQUESTED EVIDENTIARY RULINGS

[Briefly state the ground for objection to admission of any item of evidence, exhibit or statement, with citation of the applicable Federal Rule(s) of Evidence.]

All motions *in limine* must be in the form of written motions with briefs submitted three (3) days in advance of trial.

XIV. TRIAL COUNSEL

Counsel who will try the case for the respective parties are: [list names, address, email address and telephone number for each]

For plaintiff(s):

For defendant(s):

XV. ESTIMATE OF TRIAL TIME

[Make a careful estimate of the number of court trial days required for presentation of each party's case to the nearest one-half day.]

XVI. TRIAL DATE

The trial date shall be set by the Court at the final pretrial conference. The parties will be prepared to commence trial within three (3) weeks after the date set for the final pretrial conference.

XVII. TRIAL BRIEFS

[Except as otherwise ordered by the Court, each party shall submit a trial brief of no more than ten (10) pages presenting legal authorities and argument on all issues of law identified in paragraph (7), above. Trial briefs shall be served and filed not later than two (2) weeks after the final pretrial conference.]

SAMPLE

By signing below, each party acknowledges and agrees that the party and counsel (if any) have reviewed this Joint Pretrial Order, and that they understand and consent to the obligations and deadlines imposed herein.

[ADD PARTIES' SIGNATURES, ATTORNEY SIGNATURES, ATTORNEY ADDRESS, PHONE, EMAIL, AND FEDERAL BAR NO., AND THE DATE EACH PARTY SIGNED]

IT IS SO ORDERED:

SAMPLE