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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

❖	Plaintiff,)	No. ❖
)	JOINT PROPOSED PRETRIAL ORDER
	vs.)	
❖	Defendants.)	

The following is the Joint Proposed Pretrial Order to be considered at the Final Pretrial Conference set for ❖.

- A. **TRIAL COUNSEL FOR THE PARTIES**
(Include mailing address, office phone, fax numbers and e-mail addresses).
Plaintiff(s):
Defendant(s):
- B. **STATEMENT OF JURISDICTION.**
Cite the statute(s) which gives this Court jurisdiction.
(e.g., Jurisdiction in this case is based on diversity of citizenship under Title 28 U.S.C. §1332.)
Jurisdiction (is/is not) disputed.
(If jurisdiction is disputed, the party contesting jurisdiction shall set forth with specificity the bases for the objection.)

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C. **NATURE OF ACTION.**

Provide a concise statement of the type of case, the cause of the action, and the relief sought.

D. **CONTENTIONS OF THE PARTIES.**

With respect to each count of the complaint, counterclaim or cross-claim, and to any defense, affirmative defense, or the rebuttal of a presumption where the burden of proof has shifted, the party having the burden of proof shall list the elements or standards that must be proved in order for the party to prevail on that claim or defense. Citation to relevant legal authority is required.

E. **STIPULATIONS AND UNCONTESTED FACTS**

F. **CONTESTED ISSUES OF FACT AND LAW**

Each issue of fact/law must be stated separately and in specific terms, as must the parties' contentions as to each issue.

G. **LIST OF WITNESSES.**

A jointly prepared list of witnesses and their respective addresses, identifying each as either plaintiff's or defendant's, and indicating whether a fact or expert witness, must accompany this proposed order. If a witness' address is unknown, it should be so stated. A brief statement as to the testimony of each witness must also be included. Additionally, the parties shall designate which witnesses (1) shall be called at trial, (2) may be called at trial, and (3) are unlikely to be called at trial.

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H. **EXPERTS**

Provide a brief summary of each expert’s qualifications and proposed testimony and list any stipulations relating to the number or nature of experts to be called by the parties.

I. **LIST OF EXHIBITS.**

Each Party must submit with this proposed order a list of numbered exhibits, with a description of each containing sufficient information to identify the exhibit, and indicating whether an objection to its admission is anticipated and the basis for such objection.

J. **INFORMATION FOR COURT REPORTER**

Each party shall file a Notice to Court Reporter **ONE WEEK** prior to the trial. The Notice shall contain the following information:

- (1) Proper names that may be used during trial. This should include the proper names of all witnesses.
- (2) Acronyms that may be used during trial.
- (3) Geographic locations that may be used during trial.
- (4) Technical Jargon: Please list any technical names, medical terms or special jargon that may be used during trial.
- (5) Case Names: Please provide any case names or case citations that may be used during trial.

If possible, please transmit a copy of the concordance from key depositions to the Court Reporter by electronic or paper correspondence.

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K. DEPOSITIONS TO BE OFFERED.

Those portions of depositions that will be read at trial must be listed by page and line number, and objections along with the legal basis for the objection must be specified.

L. MOTIONS IN LIMINE. Set forth the motions in limine which have been filed, whether they have been ruled upon or are scheduled to be ruled upon at the Final Pretrial Conference. Briefly state objections to admission of any anticipated testimony with citation to the applicable Federal Rule(s) of Evidence.

M. LIST OF ANY PENDING MOTIONS

N. PROBABLE LENGTH OF TRIAL

O. TRIAL DATE

This matter is set for trial on ❖.

This is a firm trial date and will only be vacated by this Court for good cause.

P. JURY DEMAND

The reason for any dispute as to whether a jury trial was timely requested must be specified along with the legal basis for the dispute.

For a Bench Trial

P-1. PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW shall be filed and served by each party in accordance with the instructions contained in this Court's Order Regarding Pretrial Conference.

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For a Jury Trial

P-2. **STIPULATED JURY INSTRUCTIONS, PROPOSED VOIR DIRE QUESTIONS, AND PROPOSED FORMS OF VERDICT** shall be filed in accordance with the instructions contained in this Court's Order Regarding Pretrial Conference.

Q. **CERTIFICATIONS.**

The undersigned counsel for each of the parties in this action do hereby certify and acknowledge the following:

1. All discovery has been completed.
2. The identity of each witness has been disclosed to opposing counsel.
3. Each exhibit listed herein (a) is in existence; (b) is numbered; and (c) has been disclosed and shown to opposing counsel.
4. The parties have complied in all respects with the mandates of the Court's Rule 16 Scheduling Order.
5. Unless otherwise previously ordered to the contrary, the parties have made all of the disclosures required by the Federal Rules of Civil Procedure.

APPROVED AS TO FORM AND CONTENT:

Attorney for Plaintiff

Attorney for Defendant

Based on the foregoing,

IT IS ORDERED that this Proposed Pretrial Order jointly submitted by the parties is hereby **APPROVED** and is thereby **ADOPTED** as the official Pretrial Order of this Court.

DATED this _____ day of _____, 2004.

Mary H. Murguia
United States District Judge