

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND**

REQUIREMENTS FOR JOINT PRETRIAL ORDER

I. PURPOSE OF JOINT PRETRIAL ORDER: R.I. LBR 9014-1(d) governs the procedure for filing a Joint Pretrial Order. The preparation and filing of the Joint Pretrial Order serves to facilitate and expedite the court hearing (but is *not* intended to force agreement where there is genuine disagreement). Accordingly, parties directed to file a Joint Pretrial Order shall adhere to the form of order set forth below.

II. SUBMISSION OF JOINT PRETRIAL ORDER: The Joint Pretrial Order **MUST** be signed by all counsel (or pro se parties, if applicable), involved in the litigation. One sided orders shall be treated as defective. Parties should refer to R.I. LBR 9014-1 for the proper procedure when obtaining cooperation is difficult. Counsel are required to file the Original and Two (2) copies of the Joint Pretrial Order, AND three (3) copies of all exhibits. In addition, the attached Exhibit List must also be completed and affixed. Unless specifically in dispute, the underlying loan documentation should not be filed as an exhibit. In addition, in chapter 11 cases (including adversary proceedings) the local office of the United States trustee must be served with a copy of the Joint Pretrial Order, the exhibit list and the exhibits.

III. CONTENTS OF JOINT PRETRIAL ORDER: The Joint Pretrial Order shall contain the following numbered paragraphs:

1. Facts which are admitted and require no proof;
2. Issues of fact remaining to be litigated; evidence at trial will be limited to these issues and to the issues of law designated in paragraph 5 below;
3. A list of proposed witnesses for the Plaintiff and for the Defendant, with a brief statement as to the capacity in which each will testify;
4. A list of exhibits to be offered at trial by each party (other than those to be used for impeachment) in accordance with R.I. LBR 9070-1:
 - a. in the sequence proposed to be offered.
 - b. The moving party/plaintiff's exhibits shall be marked alphabetically (A-Z), and the respondent/defendant's exhibits shall be marked numerically (1-100);
 - c. with a description of each, sufficient for identification;
 - d. with a statement of any objections reserved as to admissibility;
 - e. with a statement confirming that parties have exchanged copies of all

exhibits.

NOTE: All exhibits listed are full exhibits unless objection is reserved, and are to be marked prior to trial. Attorneys are responsible for providing copies of exhibits for all counsel, witnesses and other parties.

5. The issues of law to be determined with reference to appropriate statutory and/or common law authorities; evidence at trial will be limited to these issues and to the issues of fact stated in paragraph 2 above.
6. The position of other lienholders (if a relief from stay matter);
7. That all discovery has been completed;
8. Whether or not the parties believe that the matter should be referred to a settlement judge prior to trial. The Court will review the joint pretrial order and issues in dispute, to determine whether the matter is one that might benefit by referral to a settlement judge prior to trial. If the Court concludes that a settlement conference is warranted, an order to that effect will issue; and
9. That the parties are ready for trial, together with the estimated time for the entire trial/hearing.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND

IN RE
DEBTOR

BANKRUPTCY NO. _____

ADVERSARY NO. _____

vs

Plaintiff

Defendant

<u>FOR COURT USE ONLY</u>
JUDGE _____
COURT REPORTER _____
HELD AT _____
DATE _____

EXHIBIT LIST

PARTY'S NAME: _____

EX. NO.	DESCRIPTION	** FOR COURT USE ONLY **					DISPOSITION AFTER TRIAL
		M A R K E D	O F F E R E D	O B J E C T	A D M I T	D A T E	

(Note: This Exhibit List is to be prepared in advance of the date of trial by counsel for all parties and furnished to the Court in duplicate and served on opposing counsel.)

IN RE: _____
 NO. _____
 DEBTOR

BANKRUPTCY
 ADVERSARY NO. _____

EXHIBIT LIST CONTINUED

PARTY'S NAME: _____

		** FOR COURT USE ONLY **					
EX. NO.	DESCRIPTION	MARKED	OFFERED	OBJECT	ADMIT	DATE	DISPOSITION AFTER TRIAL

(Note: This Exhibit List is to be prepared in advance of the date of trial by counsel for all parties and furnished to the Court in duplicate and served on opposing counsel.)