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**PRE-TRIAL PROCEDURE**  
**DIVISION “B”**  
**TWENTY-THIRD JUDICIAL DISTRICT COURT**

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Upon motion and order of a party, a Status Conference shall be set, at which time discovery, motion, pleading, and exception deadlines, as well as final pre-trial conference and trial dates will be selected. Pre-Trial Orders for Division “B” **are not** due prior to the Status Conference.

All pleadings filed shall be emailed in WORD format to Judge Martin’s law clerk at the respective email address, [lawclerkb@23rdjdc.org](mailto:lawclerkb@23rdjdc.org). This includes all **pre-trial memos, special jury charges, and verdict form**.

Please refer to Section II of this Pre-Trial Procedure Outline for the deadlines.

**SECTION I**

In all cases scheduled for final pre-trial conferences, counsel for all parties are required to confer in advance of the pre-trial conference, for the purpose of arriving at all possible stipulations, exchanging copies of all documents which will be offered in evidence at the trial, preparing a list of names and addresses of all witnesses (except those to be used for impeachment) who will or may testify at the trial, and for the purpose of preparing for submission to the Court of proposed Pre-Trial Order hereinafter described.

**SECTION II**

It shall be the duty of the counsel for the plaintiff to promptly arrange the conference of counsel and it shall be the duty of all other counsel involved to facilitate and expedite the holding of the conference of counsel.

On the basis of the contentions made at the conference of all counsel with respect to the matters required to be covered in the pre-trial order, counsel

for plaintiff will prepare and submit a proposed pre-trial order to all counsel for parties, who shall promptly indicate to plaintiff's counsel any additions or corrections. The final draft of the proposed pre-trial order shall be approved and signed by all counsel for parties and shall be submitted by counsel for plaintiff to the judge so that he will receive it not later than five (5) full judicial days preceding the day on which the final pre-trial conference is to be held.

In the event that any attorney disagrees with the proposed pre-trial order, or any part thereof, he shall state his reason therefor and attach his signed statement of opposition to the proposed pre-trial order prior to its submission to the Court, but shall nevertheless sign the proposed pre-trial order, which shall under these circumstances be deemed to be approved only to the extent not contemplated in the statement of opposition.

### SECTION III

The proposed Pre-Trial Order shall set forth:

1. A brief but comprehensive statement of the plaintiff's contentions.
2. A brief but comprehensive statement of the defendant's contentions.
3. A brief but comprehensive statement of the claims of any other parties.
4. Facts established by the pleadings or by stipulations or admissions.
5. A statement setting forth the contested issues of fact.
6. A statement setting forth the contested issues of law.
7. A list and brief descriptions of exhibits (except documents for impeachment) to be offered in evidence by the parties.
8. A statement that the documentary exhibits have been stipulated as to authenticity or that they have not.
9. A statement as to whether or not there are any anticipated amendments to the pleadings.
10. A list of witnesses (except those called for impeachment) each party may call and a short statement as to the nature (but not as

to the content) of their testimony. Except for the witnesses listed and impeachment witnesses, no other witnesses may be called to testify, except for good cause shown.

11. A statement as to any other matters not coming under the previous headings, which may be relevant to a prompt, and expeditious disposition of the case.
12. Whether the trial is by jury.

#### SECTION IV

In case of failure on any party or counsel for any party to comply with the pre-trial procedure described herein, the Court shall impose appropriate sanctions.

#### SECTION V

At the conclusion of the pre-trial conference, the judge shall sign the order and it shall thereafter be filed in the suit record.