

23RD JUDICIAL DISTRICT COURT
PARISHES OF ASCENSION, ASSUMPTION AND ST. JAMES
STATE OF LOUISIANA
DIVISION “A”

I. MOTION/EXEMPTION PROCEDURE

1. The mover or exceptor is required to furnish the judge a supporting memorandum of authorities concurrently with his injunction, exception, motion, rule, or other summary proceeding in order to have the motion or exception set for hearing. No exception, motion, or rule will be assigned for a hearing until the memorandum of authorities has been furnished to the judge.
2. All motions listed below, while not required to be accompanied by a memorandum, must state the grounds therefor and cite any applicable rule, statute, or other authority justifying the relief sought. No memorandum is required by either movant or respondent, unless otherwise directed by the court, with respect to the following motions:
 - a. for extension of time for the performance of an act required or allowed to be done, provided request therefor is made before the expiration of the period originally prescribed or as extended by previous orders;
 - b. to continue a pretrial conference, hearing, motion, or the trial of an action;
 - c. to add additional parties;
 - d. to amend pleadings;
 - e. to file supplemental pleadings;
 - f. to appoint next friend or guardian ad litem;
 - g. to intervene;
 - h. for substitution of parties;
 - i. joint motions to dismiss or consolidate; and
 - j. to withdraw as counsel.

Prior to filing any motion under this section, the moving party shall attempt to obtain consent for the filing and granting of such motion from all parties having an interest to oppose, and a certificate stating the position of the other parties shall be included in the motion. A proposed order on a separately captioned page shall accompany each motion filed under this paragraph.

3. Oppositions (memoranda of authorities in opposition) are due at least five (5) working days prior to the hearing. These are to be received by the judge by the due date.
4. The supporting memoranda and the oppositions are to be delivered or faxed to the judge's office. (Judge Verdiget's fax # is 644-7796). Faxes are not to exceed **25 pages**, except with prior approval.
5. In those instances where the mover or exceptor has failed to submit a supporting memorandum of authorities concurrently with his motion, the court may dismiss the pending motion or exception.
6. Motions for Summary Judgment, in addition to the above, must contain...
 - a. A list of essential legal elements necessary for mover to be entitled to judgment
 - b. A list of material facts that the mover contends are not genuinely disputed
 - c. A copy of the documents proving each such fact, with the pertinent part containing proof of the fact designated

Similar requirements are imposed upon the opponent of any motion for summary judgment. “Affidavit in opposition to a motion for summary judgment must be served at least eight (8) days prior to the date of the hearing.”

7. Except with prior leave of court, a trial brief or memorandum supporting or opposing a motion must not exceed 25 pages, excluding exhibits, and a reply brief or memorandum must not exceed 10 pages, excluding exhibits.

II. PRE-TRIAL PROCEDURE

IT IS ORDERED that the following rules shall apply to all pre-trial conferences held in Division “A” of this court:

1. Subject to the discretion of the Judge, no suit requiring a trial on the merits, may be assigned for trial, except at a Pre-Trial Conference.
2. Upon notification that a pre-trial conference has been scheduled, counsel for plaintiff shall promptly arrange a meeting of all counsel, sufficiently in advance of the pre-trial conference, for the purpose of arriving at all possible stipulations; viewing, copying, exchanging and marking copies of all exhibits which will be offered in evidence; preparing a list of the names and addresses of all witnesses who may testify at the trial; and preparing for submission to the court the required Joint Pre-Trial Stipulation hereinafter described. All other counsel shall cooperate with counsel for plaintiff in facilitating and expediting this meeting.
3. Based upon the discussions held at the meeting of counsel, counsel for plaintiff will promptly prepare and submit to all counsel a proposed Pre-Trial Stipulation. All counsel shall promptly notify plaintiff’s counsel in writing of any additions, corrections or matters on which no agreement is possible, which matters shall be noted as such. The final draft of the Joint Pre-Trial Stipulation shall be signed by all counsel either prior to, or at the pre-trial conference. A copy of the Joint Pre-Trial Stipulation shall be furnished to the Court at least **three (3) working days** prior to the Pre-Trial Conference. At the conference the Joint Pre-Trial Stipulation will be approved by the Court and a Pre-Trial Order issued.
4. The Joint Pre-Trial Stipulation shall set forth:
 - a. A brief, but comprehensive statement of the contentions of each party.
 - b. A brief statement of all facts established by the pleadings, stipulations or admissions.
 - c. A brief statement of the contested issues of fact.
 - d. A brief statement of the contested issues of law.
 - e. A list and brief description of all exhibits (except exhibits offered solely for impeachment) to be offered in evidence together with a statement that the authenticity of said exhibits has been stipulated except as otherwise stated.
 - f. A list and brief description of all items of demonstrative evidence to be used by each party.
 - g. A statement that no further amendment of pleadings is anticipated.
 - h. The name and address of each witness whom each party may call, together with a short statement of the nature of the expected testimony. With respect to expert witnesses, the statement shall describe the area of expertise in which the witness will offer expert testimony.

NOTE WELL: Each and every witness must be named in the Joint Pre-Trial Stipulation, not designated as representative, nor allowing for naming at a later date, unless specific agreement is obtained from all parties.

- i. A brief statement as to any other matters not previously covered which may be relevant to a prompt and expeditious disposition of the litigation.
- j. A statement as to the probable length of trial.
5. Counsel attending the pre-trial shall be fully prepared to inform the Court on all matters pertinent to the litigation and shall be fully authorized to agree to deadlines, enter into stipulations, agreements, admissions of fact or law, and be able to discuss all issues of the case, including the possibility of settlement. Following the conference, a Pre-Trial Order will be issued by the Court.
6. A sample of a Joint Pre-Trial Stipulation is attached hereto.
7. The Clerk of Court shall furnish to all counsel of record a copy of this order and the attached sample with notice of the place, date and hour assigned for the pre-trial conference.
8. A subsequent Final Pre-Trial Conference will be held usually 7 days prior to trial week. Trial counsel are required to attend the Final Pre-Trial Conference in person, unless other arrangements are approved by the Court. All parties are required to be present. All counsel are required to have discussed the case with their respective clients to have settlement authority at the Final Pre-Trial Conference, and to have a representative of their client available to reach by telephone to discuss any alternative settlement proposals. At the Final Pre-Trial Conference, counsel are to submit any objections to testimony, or exhibits to be introduced at trial. Any objections to exhibits and testimony to be introduced at trial shall be made at the Final Pre-Trial Conference and ruled on by the Court at that time. Failure to observe this rule may result in waiver of any objections to all testimony and exhibits. Witnesses should be subpoenaed for the week of Tuesday through Friday following the Monday date of the Final Pre-Trial Conference. Subpoenas are considered issued for the week. Counsel should contact their witnesses following the Pre-Trial conference to advise them of the exact date and time they will need to appear.

Officially granted at Gonzales, Louisiana, this _____ day of _____.

Jason Verdigets, Judge – Division “A”

NUMBER _____, DIVISION "A"
23RD JUDICIAL DISTRICT COURT
VERSUS
PARISH OF _____

STATE OF LOUISIANA

JOINT PRE-TRIAL STIPULATION

A Pre-Trial Conference of attorneys will be held in this matter before Honorable Jason Verdigets, District Judge, Division "A", at Gonzales, Louisiana, on the ____ day of _____, 20____, at _____ o'clock _____.m.

Counsel to be present are:

_____ - counsel for plaintiff(s);
_____ - counsel for defendant(s).

A. CONTENTIONS:

- (1) Plaintiff's contentions:
- (2) Defendant's contentions:

B. ESTABLISHED FACTS:

C. CONTESTED ISSUES OF FACT:

D. CONTESTED ISSUES OF LAW:

E. EXHIBITS:

- (1) Plaintiff's exhibits:
- (2) Defendant's exhibits:

F. DEMONSTRATIVE EVIDENCE:

G. AMENDMENT OF PLEADINGS:

H. WITNESSES:

- (1) Plaintiff's witnesses:
- (2) Defendant's witnesses:

I. TIME:

The trial is anticipated to last _____ days.

TO BE SIGNED AND DATED BY ALL COUNSEL OF RECORD