

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLORADO
The Honorable Michael E. Romero**

In re:)	
)	Case No. @@
@)	
@)	Chapter @
)	
Debtor@.)	
_____)	
)	
@)	Adversary No. @ MER
@)	
)	
Plaintiff@,)	
)	
v.)	
)	
@)	
@)	
)	
Defendant@.)	

ORDER AND NOTICE OF TRIAL

IT IS ORDERED that the provisions of Fed.R.Civ.P. 26, as amended effective December 1, 2000, shall apply to this proceeding, subject to the provisions of this Order.

IT IS FURTHER ORDERED that the parties adhere to the following deadlines:

1. Motions in Limine. Motions in limine, if any, shall be filed by @. **30 days before trial**) Any response to a motion in limine shall be filed with the Court and served on interested parties **within ten (10) days** after mailing of the original motion. **Replies to responses to motions in limine may only be filed upon leave of court.**

2. Witnesses and Exhibits. The disclosures required by Fed.R.Civ.P. 26(a)(3) and (a)(4) must be made on or before @. **(30 days before trial)** Exhibits must be marked for identification (Plaintiff-numbers and Defendant-letters) and exchanged at the time the disclosures are made. A list of all Witnesses and Exhibits must be filed with the Court by @, **(30 days before trial)** substantially in the form of Attachment A.¹ **Do not file the actual exhibits unless otherwise directed by the Court.** Written objections directed to the exhibits must be filed and served on opposing counsel or party on or before @, **(20 days before trial)** otherwise all

¹ NOTE: Expert witnesses must be identified.

objections except as to relevancy are waived. Copies of contested exhibits must be attached to the filing of objections for the Court's prior review, unless the nature of the objection involves the fact that the party proffering the exhibit has failed to adequately identify and/or exchange it. While objections to exhibits will be deemed waived unless the objector complies with this paragraph, **only those exhibits which are specifically admitted** through the course of trial proceedings will be considered by the Court and become part of the trial record. Except in unusual circumstances, omnibus motions at the conclusion of the trial to admit voluminous records, which have not been admitted through witness testimony or otherwise during the course of the trial, will not be granted. Objections as to relevance and foundation will be heard at trial.

3. Pretrial Statement. On or before @, (30 days before trial) the parties, through counsel, if applicable, must confer and prepare a pretrial statement setting forth the following, which must be filed with the Court on or before @:

- a. A brief summary of the claims and defenses of each party;
- b. A concise statement of stipulated and uncontested facts;
- c. A concise statement of the issues that are in dispute;
- d. A brief statement of all points of law relied upon, citing pertinent statutes, standards, cases and other authority; and
- e. If applicable, an itemization of damages with a description of the basis for the calculation.

4. Trial Briefs. Trial briefs, if desired shall be filed by @. (30 days before trial) Response briefs shall be filed by @, (20 days before trial) and reply briefs, if desired, shall be filed by @. (15 days before trial)

5. Pretrial Conference. @ (not applicable unless requested)

6. Trial. The matter is set for a @ day trial, commencing on @, @, 200@, at @ @.m., in Courtroom D, U.S. Bankruptcy Court, U.S. Custom House, 721 19th Street, Denver, Colorado 80202-2508.

7. At the Commencement of the Trial. Each party shall provide three (3) copies of all exhibits to the Law Clerk or Courtroom Deputy. Two (2) copies are for the Court and one (1) copy is for the witness. The original exhibits are to be used by the witness. Each exhibit must have been marked for identification before the trial or hearing. (Plaintiff-numbers and Defendant-letters). Exhibits should be placed in a binder and indexed **in the form of Attachment B to this Order**.

Dated November 23, 2007

@

ATTACHMENT A

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLORADO**
Bankruptcy Judge Michael E. Romero

In re: _____)
)
Debtor.) Bankruptcy Case No. _____
) Chapter ____

(Double Caption if Necessary)

(Party Name)'s LIST OF WITNESSES AND EXHIBITS

_____ ("Party"), through undersigned counsel, hereby designates the following witnesses and exhibits for the trial/hearing on _____, at _____ . m. in Courtroom D before the Honorable Michael E. Romero.

WITNESSES

A. FACT WITNESSES

Party **will** call the following witnesses:

1. _____, to testify regarding:

2. _____, as an adverse witness.

Party **may** call the following witnesses:

1. _____, to testify regarding _____.
2. _____, to testify regarding _____.

B. EXPERT WITNESSES

Party **will** call the following witnesses:

- 1. _____, to testify regarding:

- 2. _____, as an adverse witness.

Party **may** call the following witnesses:

- 1. _____, to testify regarding _____.
- 2. _____, to testify regarding _____.

EXHIBITS

Party intends to introduce as exhibits at trial those exhibits enumerated in Attachment 1, attached hereto and incorporated herein.

Dated: _____

FIRM NAME

By: _____

John A. Attorney, #0000
 Street Address
 City, State, Zip
 Telephone Number
 Facsimile Number

Attorney for _____

CERTIFICATE OF MAILING

The undersigned hereby certifies that a true and correct copy of the foregoing _____'s **List of Witnesses and Exhibits** was served upon the following by depositing same in the U.S. Mail, first class postage prepaid, this ____ day of _____, _____:
