

**Local Form 7016-1-A**

**Form for Pretrial Order - Local Rule 7016-1(h)**

Attorney Submitting (Utah State Bar No.)  
Address  
Telephone No.  
Facsimile No. (Optional)  
E-Mail Address (Recommended)  
Attorney for

**IN THE UNITED STATES BANKRUPTCY COURT**

**FOR THE DISTRICT OF UTAH**

In re:  <div style="text-align: center; margin-top: 20px;">Debtor(s).</div> <hr style="width: 50%; margin: 10px auto;"/> <div style="text-align: center; margin-top: 20px;">Plaintiff(s),</div> vs <div style="text-align: center; margin-top: 20px;">Defendant(s).</div>		Bankruptcy No.  Chapter  Adversary Proceeding No.  Hon. ( <u>Judge's Name</u> )
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**PRETRIAL ORDER**

This matter having come before the court on [*insert date*] at a pretrial conference held before [*insert name*] pursuant to Fed. R. Bankr. P. 7016; and [*insert name*] having appeared as counsel for plaintiff and [*insert name*] having appeared as counsel for defendant and [*insert name*] having appeared as counsel for [*insert name*]; the following action was taken: [*State*].

[*Delete foregoing if no final pretrial conference is held.*]

1.       **JURISDICTION.** The jurisdiction of the court is properly invoked under 28 U.S.C. § 1334. This is a [*core/noncore*] matter within the meaning of 28 U.S.C. § 157(b)(2). If noncore, the parties

[*consent/do not consent*] to entry of a final judgment or order by the bankruptcy judge. The jurisdiction of the court is not disputed and is hereby determined to be present.

2. **VENUE.** Venue is laid in the [*insert either Central or Northern*] Division of the District of Utah.

3. **GENERAL NATURE OF THE CLAIMS OF THE PARTIES.**

- (a) Plaintiff's claims. [*State brief summary.*]
- (b) Defendant's claims. [*State brief summary.*]
- (c) Other parties' claims. [*State brief summary for each party.*]

4. **UNCONTROVERTED FACTS.** The following facts are established by admissions in the pleadings or by stipulation of counsel. [*Set out uncontroverted facts, including admitted jurisdictional facts and all other material facts concerning which there is no genuine issue.*]

5. **CONTESTED ISSUES OF FACT.** The contested issues of fact remaining for decision are: [*State*]

6. **CONTESTED ISSUES OF LAW.** The contested issues of law in addition to those implicit in the foregoing issues of fact are: [*State*]

7. **EXHIBITS.** The following, constituting all of the exhibits to be introduced at trial, have been exchanged between the parties:

- (a) Plaintiff's exhibits: [*List*]
- (b) Defendant's exhibits: [*List*]
- (c) Exhibits of other parties (if involved): [*List*]

(d) Exhibits shall be presented to and marked for identification by the clerk prior to the day of trial in accordance with Local Rule 9070-1(a) or (d). The handling of exhibits both during and after trial is governed by Local Rule 9070-1(b) and (c).

8. **WITNESSES.**

(a) In the absence of reasonable notice to opposing counsel to the contrary, plaintiff will call as witnesses: *[List]*; plaintiff may call: *[List]*; and plaintiff will use the following depositions: *[List]*.

(b) In the absence of reasonable notice to opposing counsel to the contrary, defendant will call as witnesses: *[List]*; defendant may call: *[List]*; and defendant will use the following depositions: *[List]*.

(c) In the absence of reasonable notice to opposing counsel to the contrary *[identify additional party]* will call as witnesses: *[List]*; *[identify additional party]* may call: *[List]*; and *[identify additional party]* will use the following depositions: *[List]*.

(d) In the event that other witnesses are to be called at the trial, a statement of their names and addresses and the general subject matter of their testimony will be served upon opposing counsel and filed with the court at least *[insert]* days prior to trial. This restriction shall not apply to rebuttal witnesses, the necessity of whose testimony reasonably cannot be anticipated before the time of trial.

9. **AMENDMENTS TO PLEADINGS.** There are no requests to amend pleadings. *[or]* The following order was made regarding amendments to the pleadings: *[State]*.

10. **DISCOVERY.** Discovery has been completed. *[or]* Discovery is to be completed by *[insert date]*. *[or]* Further discovery is limited to *[State]*. *[or]* The following provisions were made for discovery: *[State]*.

11. **TRIAL SETTING.** The adversary proceeding is set for trial on *[insert date]* at *[insert time]*. Estimated length of trial is *[insert number]* days.

12. **SETTLEMENT.** Counsel have conferred respecting settlement of this matter and consider the possibility of settlement [*insert good/fair/poor*]. Trial will not be postponed to allow further settlement negotiations except upon a showing of good cause.

The foregoing proposed pretrial order (prior to execution by the court) is hereby adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

[INSERT SIGNATURE LINES, INCLUDING ADDRESS AND TELEPHONE NUMBERS FOR ALL PARTIES]