Cause No. _____

_____	§	IN THE COUNTY COURT
	§	
	§	
	§	
VS.	§	AT LAW #3
	§	
	§	
	§	
_____	§	SMITH COUNTY, TEXAS

JOINT PRE-TRIAL ORDER

APPEARANCE OF COUNSEL

(List the parties, their respective counsel and the address and telephone numbers of counsel in separate paragraphs.)

STATEMENT OF THE CASE

(Give a brief statement of the case for the information of the Court.)

MOTIONS

(State if there are any pending motions.)

CONTENTIONS OF THE PARTIES

(State concisely in separate paragraphs a summary of the claims and defenses of each party.)

ADMISSIONS OF FACT

(List all facts which have been stipulated and admitted and require no proof.)

CONTESTED ISSUES OF FACT

(List all factual issues in controversy necessary to the final disposition of this case.)

AGREED APPLICABLE PROPOSITIONS OF LAW

(A list of those legal propositions not in dispute.)

CONTESTED ISSUES OF LAW

(State briefly the issue of law in dispute, with a memorandum of authorities supporting each issue.)

EXHIBITS

1. Each counsel will attach to the JOINT PRE-TRIAL ORDER a copy of the list of all exhibits to be offered and will make all such exhibits available for examination by opposing counsel. This rule does not apply to rebuttal exhibits, which cannot be anticipated.

2. Any counsel requiring authentication of an exhibit must so notify in writing to the offering counsel within three (3) business days after the exhibit is made available to opposing counsel for examination. **FAILURE TO DO SO IS AN ADMISSION OF AUTHENTICITY.**

3. Any other objections to admissibility of exhibits must, where possible, be made at least three (3) business days after receipt and the Court notified in writing with copies to all counsel accompanied by supporting legal authorities and copies of the exhibits in dispute. All objections will be ruled upon by the Court at the pre-trial conference.

4. The offering party will **MARK HIS OWN EXHIBITS**.

5. All exhibits will be <u>OFFERED</u> and <u>RECEIVED</u> in evidence as the First Item of Business at the trial.

WITNESS

1. List names and addresses of witnesses who will or may be used with a brief statement of the subject matter and substance of their testimony. Each party shall designate whether the witness will testify by deposition or in person.

2. Include in this section the following;

"In the event there are any other witnesses to be called at the trial, their names, addresses and the subject matter of their testimony shall be reported to opposing counsel as soon as they are known."

(A statement that settlement efforts have been exhausted, that the case cannot be settled, and will have to be tried, including the date all settlement conferences were held.

TRIAL

(Include in this paragraph the following)

A. Probable Length of trial
B. Availability of witnesses, including out-of-state witnesses.

(A list of additional matters that aid in the disposition of this case, if any.)

_____
ATTORNEY FOR PLAINTIFF

_____
ATTORNEY FOR DEFENDANT

_____
PRESIDING JUDGE