

UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT

In re:

**PRE-TRIAL STATEMENT
FORMAT**

**Standing Order
02-3**

WHEREAS it is the intention of the Court that its Local Rules clearly communicate the requirements for practicing in this Court; and

WHEREAS the Court recognizes that its Local Rules are a work in progress, see *Introduction to LOCAL RULES OF PRACTICE AND PROCEDURE IN BANKRUPTCY COURT, DISTRICT OF VERMONT*, at xiii;

THE COURT HEREBY FINDS that the availability of a standard format to comply with the requirements of Vt. LBR 7016-1(b) would benefit both bankruptcy practitioners and the Court; therefore

IT IS ORDERED that Vt. LBR 7016-1(b) is hereby amended to include a provision that the filing of a pre-trial statement shall comport with the Court's "Format for Pre-Trial Statements."*

This modification of Vt. LBR 7016-1(b) is effective immediately.

SO ORDERED.

Rutland, Vermont
December 2, 2002



Colleen A. Brown
U.S. Bankruptcy Judge

*A copy of the "Format for Pre-Trial Statements" is attached hereto and is available on the Court's website at <http://www.vtb.uscourts.gov>.

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FORMAT FOR PRE-TRIAL STATEMENTS

A pre-trial statement should be filed jointly by the parties. If the parties are not able to reach an agreement as to a joint pre-trial statement each attorney is expected to file and serve his or her own pre-trial statement, with an affirmation that he or she has made diligent, good faith efforts to produce a joint pre-trial statement, but was unable to do so.

The pre-trial statement should include the following information, in this sequence:

- a.) The correct case caption;
- b.) A brief procedural history of the case, including the dates: (i) the case was filed; (ii) the instant proceeding was filed; (iii) the various key pleadings and papers were filed; and (iv) when the pre-trial statement is due;
- c.) A statement of the undisputed material facts;
- d.) A statement of the disputed material facts;
- e.) An outline of the contested legal issues (including whether the Court has jurisdiction to enter final orders on each issue);
- f.) An outline of all evidentiary issues and any anticipated objections;
- g.) Identification of witnesses with a brief summary of each witness's anticipated testimony;
- h.) Identification of exhibits and an assertion that exhibits will be exchanged, marked and copied prior to the hearing so the Court and all counsel shall have a complete set available to them throughout the trial or hearing;
- i.) The estimated length of the trial or contested hearing; and
- j.) Any unique circumstances to be addressed.