THE BUSINESS COURT OF TEXAS
ELEVENTH DIVISION

[Plaintiff(s)],	§	
Plaintiff(s),	§	
v.	§	Cause No. _____
[Defendant(s)],	§	
Defendant(s).	§	

Joint Proposed Pretrial Order

The Parties, by and through undersigned counsel, hereby submit the following Joint Proposed Pretrial Order.

1. Appearance of Counsel

List the names of all Parties and their respective counsel. Provide the addresses, telephone numbers, and email addresses of counsel.

2. Statement of the Case

Give a concise joint summary (one or two short paragraphs) of the case and the Parties' claims and defenses. In a jury trial, the Court may read this statement aloud during voir dire.

3. Relief Sought

An itemization of the damages and other relief sought.

4. Jurisdiction and Venue

Identify any unresolved jurisdictional or venue questions.

5. Motions

Identify any pending motions that require a decision by the Court.

6. Admissions of Fact

Provide a concise, numbered list of admitted or otherwise undisputed facts that require no proof and are relevant to the disposition of the case.

7. Disputed Facts

Provide a concise, numbered list of disputed facts that are relevant to the disposition of the case.

8. Agreed Applicable Propositions of Law

Provide a concise, numbered list of the undisputed legal propositions that are relevant to the disposition of the case.

9. Contested Issues of Law

Provide a concise, numbered list of the disputed legal issues that are relevant to the disposition of the case and need to be decided by the court. A memorandum of law with authorities addressing only these issues must accompany this Order.

10. Settlement Discussions

Include a short, non-argumentative statement on the status of any settlement negotiations and the outcome of mediation.

11. Trial

A. State whether the trial will be jury or nonjury.

B. Give a realistic estimate of how long trial would last if the Court did not impose time limits. A typical trial day begins at 9:00 a.m. and ends at 4:30 or 5:00 p.m., with 60 to 75 minutes for lunch and 15-minute breaks mid-

morning and mid-afternoon.

C. Using the categories below, list the names and addresses of all witnesses, including experts, that each party intends to call in its case-in-chief. Include potential rebuttal witnesses if, before trial, the need for their testimony can reasonably be anticipated:

1. witnesses who will be called;
2. witnesses who may be called; or
3. witnesses whose deposition will be used.

D. State the Parties' agreement as to how and when they will provide notice of daily witnesses.

E. State whether the Parties intend to arrange for real-time reporting or other expedited transcripts.

F. Describe any foreseeable logistical problems, including the availability of witnesses or unusual exhibits.

12. Required Attachments

Parties must file as a separate document and attach to the Joint Proposed Pretrial Order the following attachments:

A. any motions in limine, with a proposed order or space to make rulings;

B. each party's exhibit list[1];

C. each party's proposed jury charge or, for nonjury trials, proposed findings of fact and conclusions of law; and

D. each party's memorandum of law (see No. 9, Contested Issues of Law).

13. Other Matters

Describe any additional matters or concerns that any party wishes the Court to know before trial.

[1] The Court encourages counsel to agree upon joint exhibits to avoid duplication and to simplify trial.

SIGNED this ____day of _____.

_____

JUDGE, TEXAS BUSINESS COURT
ELEVENTH DIVISION

[Signature blocks for counsel]