

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

**FORM OF PRETRIAL ORDER**

(Style of Case)

(Case Number)

**PRETRIAL ORDER**

Following the pretrial conference held before the Court, IT IS ORDERED: (State date of pretrial and appearance of attorneys)

- I. **This is an action for:** (This joint statement of the case should include the nature of the action, designate the parties and list the pleadings that raise the issues. Parties may not submit separate statements of the case.)
- II. **Relief sought:** (Set forth an itemization of damages and list other relief sought.)
- III. **Federal jurisdiction is invoked upon the ground:** (List the legal authority for jurisdiction and a concise statement of the facts requisite to confer federal jurisdiction.)
- IV. **The following facts are admitted and require no proof:** (List each admitted fact, including jurisdictional facts.)
- V. **The reservations as to facts recited in Paragraph IV are as follows:** (Set forth any objection reserved by any party as to the admissibility in evidence of any admitted fact and, if desired by any party, limiting the effect of any issue of fact as provided by Fed. R. Civ. P. 36(b), or Admiralty Rule 32 (B)(b) (as the case may be.)
- VI. **The following facts, though not admitted, are not to be contested at trial by evidence to the contrary:** (List each.)
- VII. **The case management conference limitations are:** (Set forth any limitations agreed upon or ordered by the Court at or after the case management conference, such as a time limit on the length of trial, limitations on the number of expert or other witnesses a party may call, the use of expert narratives and the length thereof, the time allowed for cross and redirect examination of experts called by narrative, limitations on the length of video depositions, time allowances for attorney *voir dire* (if any), and time limits for opening statements and closing arguments.)

- VIII. The following issues of law, and no others, remain to be litigated upon the trial:** (Set forth a concise statement of each. Attorneys are expected to discuss and agree on which legal issues remain. If agreement cannot be reached after a good faith effort, set out each version in one Pretrial Order.)
- IX. The following issues of fact, and no others, remain to be litigated upon the trial:** (Specify each; a mere general statement will not suffice. Attorneys are expected to discuss and agree on which fact issues remain. If agreement cannot be reached after a good faith effort, set out each version in one Pretrial Order.)
- X. Exhibits:** (Include a list of Joint Exhibits, which have been agreed upon by the parties and will be pre-admitted, and each party's exhibit list, which shall not include any exhibit included on the Joint Exhibit List. For each exhibit separately listed, include a description sufficient for identification and a statement containing all objections, if any, to the exhibit. For each objection, state the applicable Federal Rule upon which it is based. Any exhibit not listed shall not be admitted without appropriate notice and disclosure of the basis for not being listed, immediate written application for permission to supplement, and such exhibit will be admitted only to avoid manifest injustice. Exhibits lists shall not include: (1) items or documents intended to be used solely for impeachment or rebuttal purposes; (2) expert curriculum vitae or expert reports; (3) depositions; (4) demonstrative aids; or (5) pleadings.)
- XI. The following primary witnesses will be called:** (List all witnesses that will be called by the parties in their case in chief with a concise statement as to that which each will testify. Testimony regarding any subject other than that described will not be permitted. Additional primary witnesses will not be allowed to be called to testify, except by order of the Court and in the interest of justice.)
- XII. The following secondary witnesses might be called:** (List all witnesses that the parties do not expect to call, but wish to reserve their right to call for rebuttal or other unexpected purposes. Include a concise statement as to that to which each can testify. Testimony regarding any subject other than that described will not be permitted. Additional secondary witnesses will not be allowed to be called to testify, except by order of the Court and in the interest of justice.)
- XIII. The possibility of settlement of this case has been explored with the following results:** (Set forth whether the case probably will settle, the case may settle or there is no possibility it will settle.)

**XIV. The following motions are pending:** (List all pending motions, the corresponding filing dates and whether the motion disposes of any issue of law.)

**XV.** The parties estimate the total trial time to be \_\_\_\_\_ days.

**XVI.** The foregoing admissions having been made by the parties, and the parties having specified the foregoing issues of fact and law remaining to be litigated, this order shall supersede the pleadings and govern the course of the trial of this cause, unless modified to prevent manifest injustice.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

\_\_\_\_\_  
GERALD L. JACKSON  
United States Magistrate Judge

*Approved as to form and content:*

\_\_\_\_\_  
Attorney for Plaintiff(s)

\_\_\_\_\_  
Attorney for Defendant(s)