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| This proposed Final Pretrial Order shall be emailed in Word format to [hopkins\_chambers@ohsd.uscourts.gov](mailto:hopkins_chambers@ohsd.uscourts.gov) at least seven days prior to the Final Pretrial Conference. It should not be filed with the Clerk’s Office. |

**UNITED STATES DISTRICT COURT**

**SOUTHERN DISTRICT OF OHIO**

**WESTERN DIVISION**

|  |  |  |  |
| --- | --- | --- | --- |
| Click or tap here to enter text.,  *Plaintiff(s)*,  v.  Click or tap here to enter text.,  *Defendant(s)*. | :  :  :  :  :  :  :  :  :  : | Case No. Case No.  District Judge Jeffery P. Hopkins | |
|  | | |
| **Final Pretrial Order** | | |

This action came before the Court at a Final Pretrial Conference held on Click or tap to enter a date. at time, pursuant to Rule 16 of the Federal Rules of Civil Procedure.

1. **Appearances**:

For Plaintiff(s):

Click or tap here to enter text.

For Defendant(s):

Click or tap here to enter text.

1. **Nature of Action and Jurisdiction.**
   1. This is an action for Click or tap here to enter text..
   2. The jurisdiction of the Court is invoked under Click or tap here to enter text. U.S.C. § Click or tap here to enter text..
   3. The jurisdiction of this Court is/is not disputed.
2. **Trial Information.**
   1. The estimated length of trial is Click or tap here to enter text. days.
   2. Trial to Choose an item. has been set to commence Click or tap to enter a date. at time.

Trial will be set by the Court at a future date.

1. **Agreed Statements and Lists.**
   1. **General Nature of the Claims of the Parties.** 
      1. Plaintiff Claims:

Set out brief summary without detail; an itemized statement of special damages should be included.

* + 1. Defendant Claims:

Set out brief summary without detail.

* + 1. All Other Parties’ Claims:

Same type of statement where third parties are involved.

* + 1. Joint Statement of Facts:

Brief joint statement of facts to be read to the jury.

* 1. **Pending Motions/Motions in Limine.**
     1. The following motions, if any, are pending: Briefly list motions pending and identify which motions must be decided prior to trial.
     2. Plaintiff anticipates filing the following motions in limine: Briefly list the motions that are expected to be filed.

Plaintiff does not anticipate filing motions in limine.

* + 1. Defendant anticipates filing the following motions in limine: Briefly list the motions that are expected to be filed.

Defendant does not anticipate filing motions in limine.

*Motions in limine must be filed at least 21 days prior to the commencement of trial, with responses due seven days after filing*.

* 1. **Uncontroverted Facts.**

The following facts are established by admissions in the pleadings or by stipulations of counsel:

Set out uncontroverted or uncontested facts.

* 1. **Contested Issues of Fact and Law.**
     1. *Contested Issues of Fact*.

The contested issues of fact remaining for decision are: Click or tap here to enter text.

* + 1. *Contested Issues of Law*.

The contested issues of law in addition to those implicit in the foregoing issues of fact, are: Click or tap here to enter text.

There are no special issues of law reserved other than those implicit in the foregoing issues of fact.

* 1. **Witnesses.** Only witnesses identified in this Order will be permitted to testify at the trial, except witnesses called solely for purpose of impeachment or for good cause shown.
     1. In the absence of reasonable notice to opposing counsel to the contrary, plaintiff will call, or will have available at the trial: As to each witness, state the witness’s name and role in the dispute and provide a brief synopsis of the witness’s testimony.
     2. In the absence of reasonable notice to opposing counsel to the contrary, defendant will call, or will have available at the trial: As to each witness, state the witness’s name and role in the dispute and provide a brief synopsis of the witness’s testimony.
     3. In the absence of reasonable notice to opposing counsel to the contrary, Name of third party. will call: As to each witness, state the witness’s name and role in the dispute and provide a brief synopsis of the witness’s testimony.
     4. There is reserved to each of the parties the right to call such rebuttal witnesses as may be necessary, without prior notice thereof to the other party.
  2. **Opinion (Expert) Witnesses.** Parties are limited to the following opinion witnesses whose names have been disclosed to the other side.
     1. Plaintiff:

List all opinion witnesses intended to be called at trial.

* + 1. Defendant:

List all opinion witnesses intended to be called at trial.

Counsel have attached a resume of each opinion witness’s qualifications as Appendix A herein.

* 1. **Exhibits.**

Exhibit lists should be prepared prior to the Final Pretrial Conference and set forth in this Final Pretrial Order. Exhibit markers should be attached to all exhibits at the time they are shown to opposing counsel during the preparation of this Oder. Exhibit markers should be attached to the lower right-hand corner whenever possible.

Except for good cause shown, the Court will not permit the introduction of any exhibits unless they have been listed in this Final Pretrial Order, with the exception of exhibits to be used solely for the purpose of impeachment.

Exhibit lists should be attached as appendices to this Order as follows:

Appendix B Joint Exhibits

Appendix C Plaintiff Exhibits

Appendix D Defendant Exhibits

Appendix E Third-Party Exhibits

* 1. **Depositions.**

Testimony of the following witnesses will be offered by deposition or videotape:

List all witnesses whose testimony will be offered by deposition or videotape, and state the method of presentation. If none, so state.

* 1. **Completion of Discovery.**

Except for good cause, all discovery shall be completed before the Final Pretrial Order is signed by the Court. If discovery has not been completed, the proposed pretrial order shall state what discovery is yet to be done by each side, when it is scheduled, when it will be completed, and whether any problems, such as objections or motions, are likely with respect to the uncompleted discovery.

Discovery has been completed.

Discovery is to be completed by: Click or tap to enter a date.

Further discovery is limited to: Click or tap here to enter text.

The following provisions were made for discovery: Click or tap here to enter text.

* 1. **Miscellaneous Orders.**

Set forth any orders not properly includable elsewhere.

1. **Modification.** This Final Pretrial Order may be modified at the trial of this action, or prior thereto, to prevent manifest injustice. Such modification may be made by application of counsel or on motion of the Court.
2. **Jury Instructions.** The parties shall refer to the Court’s Standing Order Governing Civil Cases for more information on the submission of jury instructions.

At least seven days before the Final Pretrial Conference, the parties shall (1) file proposed jury instructions (along with an index of the jury instructions), juror interrogatories, and verdict forms and (2) email copies (in Word format) to the Court at [Hopkins\_Chambers@ohsd.uscourts.gov](mailto:Hopkins_Chambers@ohsd.uscourts.gov). The parties are strongly encouraged to submit agreed instructions, which may be filed at any time.

Objections to proposed instructions/interrogatories/verdict forms shall be filed on or before Click or tap to enter a date.

All objections shall include citation to authority (including the page number for the specific legal proposition for which you are citing the case). Failure to assert any foreseeable objection at this time may constitute waiver of that objection.

1. **Settlement Efforts.**

All litigants are required to engage in good faith settlement efforts, which shall consist of at least one offer and one counteroffer by a party authorized to settle this proceeding. Without disclosing the contents of any settlement efforts, set forth below: the date(s) such settlement efforts were conducted, the method(s) of communication employed, and the result(s) obtained.

Click or tap here to enter text.

1. **Proposed Findings of Fact and Conclusions of Law (*Trial to the Court Only*).** Contemporaneously with the submission of this proposed Final Pretrial Order, the parties separately shall file the Findings of Fact and Conclusions of Law that each counsel believes the Court should make.
2. **Additional Action Taken**. The foregoing stipulations and statements were amended at the Final Pretrial Conference as follows: Click or tap here to enter text.

**IT IS SO ORDERED.**

|  |  |  |  |
| --- | --- | --- | --- |
| Dated: |  |  |  |
|  |  |  | Hon. Jeffery P. Hopkins  United States District Judge |

**SUBMITTED BY:**

|  |  |  |
| --- | --- | --- |
| Click or tap here to enter text. |  | Click or tap here to enter text. |
| Attorney for Plaintiff(s) |  | Attorney for Defendant(s) |
| Click or tap here to enter text. |  | Click or tap here to enter text. |
| Attorney for Plaintiff(s) |  | Attorney for Defendant(s) |

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| APPENDIX B/C/D/E  Joint Exhibits/Plaintiff Exhibits/Defendant Exhibits/Third-Party Exhibits |

**UNITED STATES DISTRICT COURT**

**SOUTHERN DISTRICT OF OHIO**

**WESTERN DIVISION**

|  |  |  |  |
| --- | --- | --- | --- |
| PLAINTIFF,  *Plaintiff(s)*,  v.  DEFENDANT,  *Defendant(s)*. | :  :  :  :  :  :  :  :  : | Case No. 1:  Judge Jeffery P. Hopkins | |
|  | | |
| **Exhibit List** | | |

The following exhibits will be offered [*jointly/by [party name]*]:

|  |  |  |  |
| --- | --- | --- | --- |
|  |  | *For Use During Trial* | |
| **DESIGNATION** | **DESCRIPTION** | **IDENTIFIED** | **ADMITTED** |
| JX-1 | Employment contract dated 9/21/2015 |  |  |
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