

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

\_\_\_\_\_,'

**Plaintiff,**

**v.**

\_\_\_\_\_,'

**Defendant.**

**Case No.** \_\_\_\_\_

**Judge Michael H. Watson**

**Magistrate Judge** \_\_\_\_\_

**FINAL PRETRIAL ORDER**

The Court held the Final Pretrial Conference on \_\_\_\_\_

**I. APPEARANCES:**

A. For the Plaintiff/Government:

B. For Defendant(s):

**II. NATURE OF ACTION AND JURISDICTION:**

A. This is a civil/criminal action under (list applicable statute(s) or common law causes of action):

\_\_\_\_\_

B. The jurisdiction of the Court is invoked under (list applicable statute):

\_\_\_\_\_

C. The jurisdiction of the Court is/is not disputed. (circle one)

**III. TRIAL INFORMATION:**

A. The estimated length of trial is \_\_\_\_\_ days.

B. Jury Trial is set for \_\_\_\_\_ at \_\_\_\_\_ with \_\_\_ jurors.

**IV. AGREED STATEMENTS AND LISTS:**

A. General Nature of the Claims of the Parties:

1. Plaintiff/Government Claims:

2. Defendant Claims (if criminal case, indicate only “not guilty”):

B. Uncontroverted Facts

The following facts are established by admissions in the pleadings or by stipulations of counsel (attached additional pages as an Appendix if necessary):

C. Contested Issues of Fact and Law

3. Contested Issues of Fact: The contested issues of fact remaining for determination are:

4. Contested Issues of Law: The contested issues of law in addition to those implicit in the foregoing issues of fact are:

D. Witnesses

1. Plaintiff/Government will call the following fact witnesses at trial, who will testify to the following facts (attach additional pages as an Appendix if necessary. For each witness, list the name and a fulsome description of the facts to which that witness will testify):

2. Defendant will call the following fact witnesses at trial, who will testify to the following facts (attach additional pages as an Appendix if necessary. For each witness, list the name and a fulsome description of the facts to which that witness will testify):

3. The parties reserve the right to call rebuttal witnesses whose testimony could not reasonably be anticipated without prior notice to opposing counsel.

4. In the event other witnesses are to be called at trial, a statement of their names and addresses and a summary of their testimony will be served upon opposing counsel and filed with the Court at least one day prior to trial.

E. Expert Witnesses

The parties are limited to the following number of expert witnesses, including treating physicians, whose names have been disclosed and reports furnished to opposing counsel **and to the Court**:

1. Plaintiff/Government (attach additional pages as an Appendix if necessary):

2. Defendant (attach additional pages as an Appendix if necessary):

F. Exhibits

The parties shall attach as Appendices a list of joint exhibits, a list of exhibits the Plaintiff/Government wishes to use but to which Defendant objects, and a list of exhibits the Defendant wishes to use and to which the Plaintiff/Government objects.

G. Depositions

Refer to the Court's standing orders as to how to properly designate deposition testimony that will be offered at trial (attach additional pages as an Appendix if necessary).

H. Discovery

List any outstanding discovery or discovery disputes and include the date on which discovery was complete.

I. Pending Motions

The following motions are pending at this time:

**V. MODIFICATION:**

This Final Pretrial Order may be modified at trial, or prior thereto, to prevent manifest injustice. Such modification may be made by application of counsel or on motion of the Court.

**VI. JURY INSTRUCTIONS AND TRIAL BRIEFS:**

Counsel shall be familiar with and follow the Court's standing orders regarding jury instructions. Trial briefs are not permitted unless requested by the Court.

**VII. SETTLEMENT EFFORTS:**

Describe the extent and status of settlement negotiations or any plea offers extended to the Defendant.