

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X

\_\_\_\_\_

Plaintiff,

-against-

**JOINT PRETRIAL ORDER**

\_\_-CV-\_\_ (TAM)

\_\_\_\_\_

Defendants.

-----X

The parties having conferred among themselves and with the Court pursuant to Federal Rule of Civil Procedure 16, the following statements, directions, and agreements are adopted as the Pretrial Order herein.

**I. Full Caption of the Action**

Note the full case caption.

**II. Trial Counsel**

Names, addresses (including firm names), e-mail addresses and telephone numbers of trial counsel.

**III. Jurisdiction**

Brief statement by Plaintiff as to the basis of subject matter jurisdiction and a brief statement by each other party as to the presence or absence of subject matter jurisdiction. Such statements shall include citations to all statutes and cases relied on and relevant facts as to citizenship and jurisdictional amount.

**IV. Claims and Defenses to be Tried**

Brief summary of the claims and defenses to be tried, without recital of evidentiary matter but including citations to the relevant portions of the complaint as well as all statutes and cases relied on. Include a statement of any claims, defenses or

counterclaims that have been disposed of by motion, stipulation, or settlement, or that otherwise will not be pursued at trial.

**V. Jury/Non-Jury and Length of Trial**

Statement as to whether the case is to be tried with or without a jury, and the estimated number of total trial days.

**VI. Stipulations**

Any stipulations or agreed statements of fact or law.

**VII. Witnesses**

A list of witnesses intended to be called, with a brief summary of each witness' relation to the case and intended testimony. In addition, a table listing the basis for any objection to a witness' testimony. The table shall look like this:

<b>Witness Name</b>	<b>Objection</b>	<b>Basis for Objection</b>
John Doe	Hearsay	Explanation of objection, if any

Each party is requested to make a good faith effort to list only those witnesses it actually intends to call.

**VIII. Deposition Transcripts**

A table containing a list of the precise portions of deposition transcripts intended to be introduced at trial, together with any cross-designations or objections by any other party. If voluminous, the parties may present marked deposition volumes at the final pretrial conference in lieu of a designation in this Order, provided that they have discussed or identified to each other any objections to the proposed testimony prior to the final pretrial conference.

**IX. Exhibits**

A table containing a list of exhibits intended to be offered, and any objections. The table should also indicate exhibits to which no party objects on grounds of authenticity and exhibits to which no party objects on any grounds. All exhibits must be pre-marked in the order in which they are expected to be used (using numerals for plaintiff’s exhibits and letters for defendant’s exhibits). The table shall look like this:

<b>Exhibit</b>	<b>Objection</b>	<b>Basis for Objection</b>
1. John Doe’s employment record	Hearsay	Explanation for objection, if any.

**X. Relief Sought**

Describe relief sought.

**SO ORDERED.**

Dated: Brooklyn, New York  
\_\_\_\_\_, 20\_\_

---

TARYN A. MERKL  
UNITED STATES MAGISTRATE JUDGE