

	CAUSE NO. _____	
_____	§	IN THE 241 <sup>ST</sup> JUDICIAL
	§	
vs.	§	DISTRICT COURT
	§	
	§	SMITH COUNTY, TEXAS
_____	§	

**JOINT PRETRIAL ORDER**

**I.**

**APPEARANCE OF COUNSEL**

(List the parties, their respective trial counsel, and the address and telephone numbers of counsel in separate paragraphs.)

**II.**

**STATEMENT OF THE CASE**

(Brief statement of the case for the Court.)

**III.**

**MOTIONS**

(List any pending motions.)

**IV.**

**CONTENTIONS OF THE PARTIES**

(State concisely in separate paragraphs a summary of the claims and defenses of each party.)

**V.**

**ADMISSIONS OF FACT**

(List all facts which have been stipulated, admitted, and require no proof.)

**VI.**

**CONTESTED ISSUES OF FACT**

(List all factual issues in controversy necessary to the final disposition of this case.)

**VII.**

**AGREED APPLICABLE PROPOSITIONS OF LAW**

(A list of those legal propositions not in dispute.)

**VIII.**

**CONTESTED ISSUES OF LAW**

(Briefly state the issue of law in dispute, with a memorandum of authorities supporting each issue.)

**IX.**

**EXHIBITS**

1. **COUNSEL MUST CONFER ON ALL OBJECTIONS TO EXHIBITS IN GOOD FAITH IN AN ATTEMPT TO REACH A RESOLUTION PRIOR TO SUBMITTING OBJECTIONS TO THE COURT.**
2. **Please notify the Court of all resolved objections in advance of the Pretrial Conference so the Court does not spend time on matters not in dispute.** All remaining objections to exhibits will be taken up by the Court at the Pretrial Conference.
3. Each counsel will attach a copy of each parties' objections to the opposing party's exhibits to the JOINT PRETRIAL ORDER.
4. Any counsel requiring authentication of an exhibit must notify the offering counsel within three (3) business days after the exhibit is made available to opposing counsel for examination. FAILURE TO DO SO IS AN ADMISSION OF AUTHENTICITY.
5. The offering party will MARK HIS/HER OWN EXHIBITS.
6. All exhibits will be OFFERED and RECEIVED in evidence as the first item of business at trial.
7. All exhibits should be placed on a flash drive for the Court Reporter on or before the trial date.

**X.**

**WITNESSES**

List names and addresses of witnesses who will or may be called with a brief statement of the subject matter and substance of their testimony. Each party shall designate whether the witness will testify by deposition or in person.

**XI.**

**SETTLEMENT EFFORTS**

A statement that settlement efforts have been exhausted, that the case cannot be settled, and will have to be tried, including the dates of mediation and/or all settlement conferences held.

**XII.**

**TRIAL TIME**

Include in this paragraph the following:

- A. Request for amount of time for jury selection (per side)
- B. Request for amount of time for opening statement (per side)
- C. Probable length of case excluding jury selection, opening and closing (per side)
- D. Request for amount of time for closing argument (per side)
- E. Any other issues that may affect the length of trial

**XIII.**

**PROPOSED JURY CHARGE**

Email a proposed jury charge, including instructions, definitions and jury questions with case law or legal reference relied on in support. Email to: [mglidden@smith-county.com](mailto:mglidden@smith-county.com)

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ATTORNEY FOR PLAINTIFF

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ATTORNEY FOR DEFENDANT

GRANTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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**HONORABLE DEBBY GUNTER**  
Presiding Judge  
241<sup>st</sup> Judicial District Court