

**IN THE CIRCUIT COURT OF THE NINTH JUDICIAL DISTRICT  
\_\_\_\_\_ COUNTY, MISSISSIPPI**

PLAINTIFFS

VS.

CIVIL ACTION NO.

DEFENDANTS

PRE-TRIAL ORDER

The parties have conferred and agree upon the following terms of this Pre-Trial Order.

1. Counsel:  
For the Plaintiff(s): (Name, address, telephone number, fax number, e-mail address)

For the Defendant(s): (Name, address, telephone number, fax number, e-mail address)

2. The Nature of the case is (negligence, contract, etc.).
3. The pleadings are amended to conform to this Pre-Trial Order.
4. The following claims (including the claims in the complaint, counterclaims, cross-claims, third party claims, etc.) have been filed:
5. The following motions remain pending: (If none, enter "none." Pending motions not noted here may be deemed moot.)
6. A concise summary of the ultimate facts claimed:

By the Plaintiff(s):

By the Defendant(s):

7. Facts established by pleadings, admissions or stipulations:
8. Contested issues of fact are as follows:
9. Contested issues of law are as follows:
10. The following is a list and brief description of all exhibits (except exhibits to be used for impeachment purposes only) to be offered in evidence. Each exhibit has been marked for identification and made available to all counsel for examination:
  - A. Exhibits to be offered by Plaintiff(s):

The authenticity and admissibility in evidence of the preceding exhibits are stipulated. If the authenticity and/or admissions of any of the preceding exhibits are objected to, the exhibit must be identified below along with a statement of specific grounds for said objections.

- B. Exhibits to be offered by Defendant(s):

The authenticity and admissibility in evidence of the preceding exhibits are stipulated. If the authenticity and/or admissions of any of the preceding exhibits are objected to, the exhibit must be identified below along with a statement of specific grounds for said objections.

11. Any charts , graphs, diagrams, models or similar objects intended to be used in opening statements or closing arguments but which will not be offered in evidence are listed below:

Any objections thereto are as follows:

If any objects are to be used by any party, such objects must be submitted to opposing counsel at least three (3) days before trial. If there is any objection to the use of said object the objection must be submitted to the Court at least one (1) day prior to trial.

12. The following is a list of witnesses **Plaintiff** anticipates calling at trial (except witnesses to be used solely for rebuttal or impeachment). The listing of a WILL CALL witness is a representation upon which opposing counsel may rely that the witness will be present at trial absent reasonable written notice to the contrary to counsel.

Name	Will Call	May Call	By Deposition	Fact, Liability, Expert, Damages	Address, Telephone Number

Will testify by Deposition:

State whether the entire deposition or only designated portions will be used. Counsel shall confer at least twenty (20) days before trial to resolve all controversies regarding all depositions, videotaped or otherwise. All disputes not resolved shall be submitted to the trial judge ten (10) days before trial. Any objections not submitted within that time are waived.

13. The following is a list of witnesses **Defendant** anticipates calling at trial (except witnesses to be used solely for rebuttal or impeachment). The listing of a WILL CALL witness is a representation upon which opposing counsel may rely that the witness will be present at trial absent reasonable written notice to the contrary to counsel.

Name	Will Call	May Call	By Deposition	Fact, Liability, Expert, Damages	Address, Telephone Number

Will testify by Deposition:

State whether the entire deposition or only designated portions will be used. Counsel shall confer at least twenty (20) days before trial to resolve all controversies regarding all depositions, videotaped or otherwise. All disputes not resolved shall be submitted to the trial judge ten (10) days before trial. Any objections not submitted within that time are waived.

14. Discovery has been completed, except as to the following:
15. This Pre-Trial Order will control the course of the trial unless this order be hereafter modified by written consent of the parties and the Court or by the Court for good cause shown to prevent manifest injustice.
16. All Jury Instructions shall be served and filed not less than three (3) days before trial.
17. All motions in limine must be filed and noticed to be heard at the Pre-Trial Conference scheduled for \_\_\_\_\_. (Notify the Court Administrator to receive a date/time for a Pre-Trial Conference.)

ENTERED, this the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
CIRCUIT COURT JUDGE

\_\_\_\_\_  
PLAINTIFF'S ATTORNEY

\_\_\_\_\_  
DEFENDANT'S ATTORNEY