

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

[DEBTOR],	Debtor(s).	:	Bankruptcy No. _____ - CMB
		:	
[MOVANT],	Movant(s),	:	Chapter _____
		:	
v.		:	Related to Doc. No. _____
		:	
[RESPONDENT],	Respondent(s).	:	
		:	

PREHEARING STATEMENT

It is stipulated by and between the parties that:¹

- I. This is a motion for (when applicable, specify the particular section(s) and subsection(s) of the Bankruptcy Code, for example 11 U.S.C. §362(d)(1)):

- II. Movant(s)' narrative statement of the case:

¹ If sufficient space is not available under any section herein to set forth all matters, attach a supplemental paper. This document is also available in Word format on the Court's website under Judge Carlota Böhm's Forms.

III. Respondent(s)' narrative statement of the case:

IV. The parties, through counsel, shall engage in a good faith effort to stipulate all facts as to which there is no actual dispute. The following facts are stipulated by the parties and require no proof:
(List each stipulated fact here.)

V. The following facts are contested by the parties:

(Include a statement of each party's pertinent factual contentions and a summary statement of the evidence to be offered in support of each contention.)

A. Movant(s):

B. Respondent(s):

VI. Exhibits:

- A. During preparation of the Prehearing Statement, all parties are to pre-mark and exchange copies of the exhibits they reasonably anticipate offering at the evidentiary hearing.
- B. All exhibits shall be pre-marked by counsel using exhibit labels. Movant(s) use exhibit numbers and Respondent(s) use exhibit letters. Each exhibit shall also be pre-marked to indicate whose exhibit it is and the date of the evidentiary hearing.

Example:

Movant (Name) Exhibit #1 12/19/12 (Hearing Date)

Respondent (Name) Exhibit A 12/19/12 (Hearing Date)
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- C. The enclosed form shall be used to prepare the exhibit list.
- D. Parties shall list their exhibits, in the sequence proposed to be offered, with a description of each sufficient for identification and a statement of all admissions by and all issues between any of the parties as to the genuineness thereof, the due execution thereof, and the truth of the relevant matters of fact set forth therein or in any legend affixed thereto, together with a statement of any objection reserved as to the admissibility in evidence thereof. **Objections to exhibits must be noted in the Joint Prehearing Statement.** If no objections are noted, the parties thereby agree to the admission of the exhibit.

VII.

Witnesses:

- A. Provide a complete list of all witnesses, including names and addresses, together with a brief summary of the area of testimony each witness will address. Indicate whether an objection has been made to each respective witness by placing a check mark in the “Objections” column.
- B. If any witness is to be called as an expert, an expert’s report must be filed.
- C. All reasonably anticipated objections to the testimony and all motions to limit testimony of a witness identified by an opposing party shall be filed with the court and served on the opposing parties prior to the Final Prehearing Conference. It is the responsibility of counsel to address any said objections at the Final Prehearing Conference so that the objections may be resolved at that time.
- D. Designation of a non-party witness on an opponent’s list of witnesses does not relieve a party of assuring the presence of that witness at the evidentiary hearing if his or her testimony is desired.
- E. If the parties consent to testimony by affidavit for any witness, that shall be clearly indicated by the name of the witness in the list below.

Name of Witness	Address	Area of Testimony	Objections

VIII. Issues of Law:

A. The parties, through counsel, shall engage in a good faith effort to stipulate all legal issues as to which there is no actual dispute. The Parties stipulate as follows:

B. List the issues of law that are contested and remain to be litigated at the evidentiary hearing:

Stipulated and Agreed to By:

Dated _____ by _____, counsel

for the Movant(s), _____

Dated _____ by _____, counsel

for the Respondent(s), _____