

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

IN RE:

[DEBTOR],	:	Bankruptcy No. _____ - CMB
	:	
Debtor(s).	:	
	:	Chapter ____
[PLAINTIFF],	:	
	:	
	:	
Plaintiff(s),	:	
v.	:	Adversary No. _____
	:	
	:	
[DEFENDANT],	:	
	:	
	:	
Defendant(s).	:	

[NOTE: The designation "Plaintiff(s)/Defendant(s)" has been used throughout this form. Depending on the type of matter at issue, counsel shall appropriately designate the respective parties involved in this matter (i.e. "Plaintiff(s)/Defendant(s)" or "Movant(s)/Respondent(s)" or "Claimant(s)/Respondent(s)" etc. This document is also available in Word format on the Court's website under Judge Carlota Böhm's Forms.]

PRETRIAL STATEMENT

It is stipulated by and between the parties that:

- I. **This is an action for:** *(If applicable, specify the particular section(s) and subsection(s) of the Bankruptcy Code.)*

- II. **Plaintiff(s)' narrative statement of the case:** *(Include a statement of Plaintiff(s)' theory of Defendant(s)' liability, Plaintiff(s)' injuries, and Plaintiff(s)' damages.)*

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

IV. **Third Party Defendant(s)' narrative statement of the case** *(if applicable):*

V. **Stipulated Facts:** The following facts are stipulated by the parties and require no proof. *(List separately each stipulated fact.)*

VI. **Contested Facts:** The following facts are contested by the parties. *(List pertinent factual contentions and a summary statement of the evidence to be offered in support of each contention.)*

A. Plaintiff(s):

B. Defendant(s):

C. Third Party Defendant(s):

VII. **Exhibits:**

- A. During preparation of the Pretrial Statement, all parties are to pre-mark and exchange copies of the exhibits they reasonably anticipate offering at trial.
- B. All exhibits shall be pre-marked by counsel using exhibit labels. Plaintiff(s) use exhibit numbers, and Defendant(s) use exhibit letters. If applicable, Third Party Defendant(s) use exhibit letters preceded by the notation “TPD.” Each exhibit shall also be pre-marked to indicate whose exhibit it is and the date of the trial.

Example:

Plaintiff (Name) Exhibit #1 (Trial Date)	Defendant (Name) Exhibit A (Trial Date)	3rd Party Defendant Exhibit TPD-A (Trial Date)
--	---	--

- C. The enclosed form shall be used to prepare the exhibit list.
- D. Each party shall list all exhibits intended to be offered at trial, in the sequence proposed to be offered, with a description of each exhibit sufficient for identification. If no objection exists as to a specific exhibit, the “Objection” column on the required exhibit list is to remain blank. Any statement of issues between any of the parties regarding admissibility of the specific exhibit, for example, “authenticity,” “due execution” thereof, or “relevancy,” must be inserted in the “Objection” column otherwise the objection will be waived. If no objections are noted on the exhibit list following the description of an exhibit, the parties will be deemed to have agreed to the admission of the exhibit for all intents and purposes, and the exhibit will be admitted without further testimony. As to any objections noted, the admissibility of those exhibits will be considered at the Final Pretrial Conference or before any testimony is taken, subject to the Court’s discretion. Only those exhibits to which a ruling on admission is reserved will require witness identification or authentication.

VIII. **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.
- B. The enclosed form shall be used to prepare the witness list.
- C. All reasonably anticipated objections to testimony and all motions to limit testimony of a witness identified by an opposing party shall be filed with the Court within the timeframe provided in the Trial Order and Notice so that objections can be resolved at the Final Pretrial Conference.
- 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 trial 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.

WITNESS LIST FILED ON BEHALF OF: _____

Case No. _____

Adv. No. _____

Date of Trial _____

Name of Witness	Address	Area of Testimony	Objections

IX. **Issues of Law:**

A. List the legal issues as to which there is no actual dispute:

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

X. **Stipulations:** The foregoing admissions of fact having been made, and the parties having specified the issues of fact and law remaining to be litigated, this stipulation shall supplement the pleadings and govern the course of trial unless modified to prevent injustice.

XI. **Authorization:** My signature on this document authorizes my consent to the filing of this Stipulation and acknowledges that I have reviewed all documents and exhibits identified herein by all other parties and/or their attorney(s).

Stipulated and Agreed to By:

[INSERT SIGNATURE BLOCKS CONTAINING SIGNATURES, NAMES, ATTORNEY I.D. NOS., ADDRESSES, TELEPHONE NUMBERS, AND E-MAIL ADDRESSES OF ATTORNEYS OR THE PARTIES (IF PRO SE).]