

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

In re:

Debtor(s).

Case No. xx-xx-xxxxx Sx

Plaintiff Name(s),
Plaintiff(s),

v.

Adversary No. xx-xxxx S

Defendant Name(s),
Defendant(s).

ORDER RESULTING FROM FINAL PRETRIAL CONFERENCE

This matter came before the Court for a final pretrial conference on _____, 2011. Counsel for the parties and self-represented parties are listed in the service section below.

Discovery

Discovery is closed (or, has been extended to _____).

Continued pretrial conference

IT IS ORDERED that the pretrial conference is continued to _____ at ____ in the Bankruptcy Hearing Room, Room 13102, Dennis Chavez Federal Building and United States Courthouse, 500 Gold Ave. SW, Albuquerque, NM. Parties may appear by telephone by following the procedures outlined on the Court's website, <http://www.nmcourt.fed.us/usbc/telephone-appearance> .

Trial

IT IS ORDERED that trial of this matter has been set for ____ am/pm on _____, with ____ days reserved for trial. Trial will be conducted by the Honorable James S. Starzynski in the Animas Courtroom, Thirteenth Floor, Dennis Chavez Federal

Building and United States Courthouse, 500 Gold Avenue SW, Albuquerque, New Mexico (or other location). Counsel and self-represented parties shall inform any witnesses they are calling that they need to present a government issued identification card (e.g., driver's license or passport) to obtain entry into the Courthouse.

Exhibits

IT IS ORDERED that the parties exchange the documents which they intend to use as exhibits at trial by _____. By 4:30 p.m. on _____, parties shall submit three (3) sets of exhibits to the Court's chambers, for the use of the Court, the law clerk and the witness. They shall, at the same time, also submit a disk that contains a **REDACTED**¹ copy of each exhibit, in PDF format, for upload to the CM/ECF system. (If applicable: Self-represented parties are excused from this requirement.) The party submitting the disk shall label the disk with the submitter's name and case number. No later than the same date the parties shall have delivered a set of the exhibits to counsel for each party and to any self-represented party. Parties must also submit a list by _____, signed off on by all parties, of exhibits that the parties stipulate are

¹See Bankruptcy Rule 9037(a). Filings may contain only (1) the last four digits of a social-security number or taxpayer-identification number, (2) the year of an individual's birth, (3) a minor's initials, and (4) the last four digits of any financial-account number.

admissible. By stipulating to the admission of an exhibit, a party is not waiving his or her right to argue relevance, weight, or materiality of the exhibit, including the right to argue that the exhibit in question should be treated as if it had not been admitted. (The purpose of this ruling is to minimize trial time spent authenticating exhibits for admission.) All exhibits will be offered and received in evidence as the first item of business at the trial. Exhibits not listed will generally not be allowed, except for rebuttal exhibits which could not be anticipated or as agreed by all parties.

Witnesses

IT IS ORDERED that the parties exchange lists of witnesses they intend to or may call by _____. By _____, the parties shall file this list. Witnesses not listed will generally not be allowed, except for rebuttal witnesses the need for whose testimony could not be reasonably anticipated or as agreed by all parties. The failure to list an individual party (as used in 11 U.S.C. § 101 to mean a human being) will not preclude that party from being called as a witness, although neither this order nor listing a witness on a witness list shall be deemed to have compelled the witness to appear for trial.

Evidence Presentation Technology

The Animas Courtroom is equipped with certain evidence presentation technology, which includes equipment to display images of documents, CM/ECF dockets or other items on monitors and plasma screens throughout the courtroom. To use any of this technology during a hearing, a party must contact chambers (505.348.2430) at least one business day prior to the hearing to ensure that it is ready for use on the day of the hearing. The Information Technology department also has a short training program available (and highly recommended) for new users.

Other

IT IS ORDERED ... (anything else ordered at the pretrial.)

Remedies for Noncompliance

IT IS ORDERED that failure of a party or counsel to comply with the provisions of this order may result, in the discretion of the Court, in the imposition of sanctions or corrective measures in addition to those described above.

Honorable James S. Starzynski
United States Bankruptcy Judge

Submitted by:

LAW FIRM, P.A.

By: S/ ATTORNEY'S NAME (Electronically Submitted/date)

Attorney for xxxx

Full Address

Telephone with area code/Fax with area code

Approved by:

Self-Represented Party's Name

S/ (telephonically approved/date)

[or (approved by e-mail) or (signature page attached)]

Full Address

Telephone with area code/Fax with area code (if applicable)

[Rev. 8/2/2011] [OrderfromFinalPTC.pdf]