

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF LOUISIANA



CIVIL JUSTICE EXPENSE AND DELAY
REDUCTION PLAN

ADOPTED JUNE 9, 1993
EFFECTIVE DECEMBER 1, 1993
WITH AMENDMENTS THROUGH MARCH 12, 1996

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INTRODUCTION

Congress has enacted **THE CIVIL JUSTICE REFORM ACT OF 1990**, 28 U.S.C. §471 et seq. ("the CJRA"). The CJRA requires each United States District Court to implement a civil justice expense and delay reduction plan to facilitate deliberate adjudication of civil cases on the merits, monitor discovery, improve litigation management, and ensure just, speedy, and inexpensive resolution of civil disputes.

This Court has appointed an Advisory Group in accordance with 28 U.S.C. §478. After consideration of the Advisory Group's findings and recommendations, the pending and soon to be effective changes to the Federal Rules of Civil Procedure, and after independent consideration, the United States District Court for the Eastern District of Louisiana adopts the following **CIVIL JUSTICE EXPENSE AND DELAY REDUCTION PLAN ("the Plan")**.

ARTICLE ONE: DIFFERENTIAL CASE MANAGEMENT

(1) Timing:

Within 10 days after all parties have entered an appearance, the Court shall issue an order in the form attached hereto as Appendix A scheduling a Preliminary Conference. Such conference will be scheduled no later than 20 days from the issuance of notice.

(2) Officer Presiding:

The Preliminary Conference shall be conducted by the District Judge or the courtroom deputy (case manager). The judicial officer should not assign this duty to a law clerk or any other person. This conference may be conducted by telephone to convenience counsel and to reduce expense.

(3) Scope of Preliminary Conference:

The Preliminary Conference shall:

- (a) provide for an early neutral evaluation, establish requirements and deadlines for disclosure of witness identities, documents and other exhibits, damage computations, and insurance agreements;

- (b) establish deadlines for depositions and other discovery;
- (c) establish deadlines for filing of motions, amending pleadings, and adding parties;
- (d) establish deadlines for exchange of reports of expert witnesses;
- (e) determine (i) the feasibility of limiting discovery below the limits established in the Federal Rules of Civil Procedure, the Local Rules or the plan, or (ii) whether due to the complexity of the case those limits might be exceeded;
- (f) the possibility of settlement and the need and date for any further settlement conference;
- (g) establish final pretrial conference and trial dates, the trial date to be no later than nine months from the date of the Preliminary Conference, unless due to the complexity of the case a longer period is required;
- (h) discuss any other matter appropriate for effective management of the case by the Court.

(4) Attendance:

Participants at the Preliminary Conference shall be the Trial Attorney designated pursuant to Local Rule or any counsel of record on pleadings already filed with full authority to make decisions and agreements that bind the client, unless permission for attendance by other counsel is obtained from the Court in advance.

(5) Scheduling and Management Order:

Following the Preliminary Conference, the Court shall issue an order establishing all disclosure requirements and deadlines, discovery deadlines and limits, if any, and final pretrial conference and trial dates. All sections of the Court shall employ the uniform order attached hereto as Appendix B.

ARTICLE TWO: DISCLOSURE AND DISCOVERY

(1) Disclosure:

Voluntary disclosure shall be completed as ordered by the Court.

Disputes between the parties concerning disclosure shall be subject to the same procedures as for discovery disputes set forth in the Local Rules.

(2) Discovery Limits:

The number of interrogatories and requests for admissions shall be limited in accordance with the Local Rule.

Discovery depositions shall be conducted and limited as ordered by the Court.

Judicial officers assigned to cases will, in consultation with counsel, in appropriate cases impose limits on discovery more restrictive than those established above, or if the case is complex extend such limits.

ARTICLE THREE: MOTION PRACTICE

- (1) Motions shall be filed and considered in strict compliance with applicable provisions of the Local Rules.
- (2) Motions for postponement of trial shall be accompanied by the certificate of an attorney of record, signed pursuant to Fed. R. Civ. Pro. 11, certifying that his client has been advised by the signing attorney that the attorney has initiated or consented to a motion to continue the trial and that the client has been provided with a copy of the motion or consent. Any such motion shall be filed in complete compliance with applicable provisions of Local Rules.
- (3) Motions shall be decided by the presiding judicial officer as soon as practicable.

ARTICLE FOUR: ALTERNATIVE DISPUTE RESOLUTION

If the presiding judicial officer determines at any time that the case will benefit from alternative dispute resolution, the judicial officer shall:

- (a) have discretion to refer the case to private mediation, if the parties consent, even if such mediation efforts upset previously set trial or other dates;
- (b) have discretion to order nonbinding mini-trial or nonbinding summary jury trial before a judicial officer with or without the parties' consent; or
- (c) employ other alternative dispute resolution programs which may be designated for use in this District.

ARTICLE FIVE: MISCELLANEOUS

(1) Final Pretrial Conference and Pretrial Order:

Pretrial orders shall be prepared for each case according to a uniform form of Pretrial Notice and Instructions, a copy of which is attached as Appendix C, to be used by all sections of the Court and provided to counsel as an attachment to the order described in Article One above issued following the Preliminary Conference.

The District Judge who will preside over the trial (or the presiding Magistrate Judge for cases that will be tried to a Magistrate Judge) shall preside over all final pretrial conferences. This duty may not be delegated to a law clerk, secretary, clerk of court, a deputy clerk, or other non-judicial officer. If necessary, the judge may designate a magistrate judge to conduct this conference.

(2) Docket Calls:

Periodically, as needed, each section of Court shall conduct a call docket for all cases in which answer has not been filed. Cases on the call docket may be dismissed or other relief may be ordered as the circumstances require.

(3) Settlement Conferences:

In its order following the Preliminary Conference described in Article One above, the Court shall state that a conference will be scheduled at the request of any party for the purpose of discussing settlement.

The presiding judge with responsibility for trying the case shall preside over any settlement conference requested by any party or

make arrangements for it to be conducted by another District Judge or Magistrate Judge.

Participants at any settlement conference must include counsel of record with authority to bind settlement. The Court may, in appropriate cases, specifically require attendance at a settlement conference by the parties to the suit or by representatives of the parties with authority to bind settlement.

(4) Telephone Attendance:

Attendance of counsel by telephone, where feasible, may be permitted by the Court.

(5) Trial Settings:

All sections of the Court may set more than one case for trial on any given trial date or on any day during any particular trial week.

If the Court cannot adhere to a trial date, and is unable to provide another judicial officer to try the case as scheduled, the judge shall advise counsel as soon as practicable and continue the trial. Such a continued case should be given calendared preference thereafter.

(6) Non-Jury Trial Decisions:

Decisions in non-jury cases shall be determined by the presiding judicial officer as soon as practicable.

(7) Study Groups:

On or about the effective date of the Plan, the Chief Judge shall appoint two CJRA Study Groups as follows:

(a) To examine whether a formal "tracking" procedure of identifying cases by their complexity and imposing predetermined discovery or scheduling limits according to the designated track should be instituted in the District.

(b) To examine whether, and if so how, a court-annexed program should be established in the District for alternative dispute resolution.

Each Study Group shall prepare and submit to the full Advisory Group and the Chief Judge a written report containing its findings and recommendations no later than December 31, 1994.

(8) Conflict with Other Rules:

In the event the rules or procedures in the Plan conflict with other Local Rules or procedures of this Court, this Plan shall prevail.

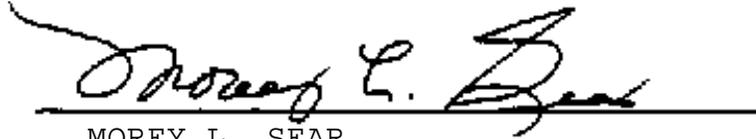
(9) Plan Modification:

The Plan may be modified by the Court at any time after consultation with the Advisory Group.

(10) Effective Date:

The Plan shall be effective and applicable to all civil cases filed on or after December 1, 1993.

SO ORDERED this 9th day of June, 1993, at New Orleans, Louisiana.

A handwritten signature in black ink, reading "Morey L. Sear", is written over a horizontal line. The signature is cursive and includes a long, sweeping flourish at the beginning.

MOREY L. SEAR
CHIEF JUDGE
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

APPENDIX A

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

VERSUS

CIVIL ACTION
NO.
SECTION

PRELIMINARY CONFERENCE NOTICE

A **PRELIMINARY CONFERENCE** will be held **BY TELEPHONE** on _____ for the purpose of scheduling a pre-trial conference and trial on the merits and for a discussion of the status and discovery cut-off dates.

TRIAL COUNSEL are to participate in this conference. If, however, you are unable for good cause to do so, another attorney in your firm may participate if acquainted with all details of the case and authorized to enter into any necessary agreements. If, for good cause, neither is possible, you must file a Motion and Order to Continue at least one week prior to the above date.

Courtroom Deputy, Section
Telephone No. _____

NOTICE: COUNSEL ADDING NEW PARTIES SUBSEQUENT TO
THE MAILING OF THIS NOTICE SHALL NOTIFY
SUCH NEW PARTY TO APPEAR AS REQUIRED BY
THIS NOTICE.

APPENDIX B

MINUTE ENTRY
JUDGE _____
DATE _____

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

_____ * CIVIL ACTION
VERSUS * NO. _____
_____ * SECTION _____ (_____)

A Preliminary Conference was held this date. Participating were:

Pleadings have _____ been completed. Jurisdiction and venue are established.

All pretrial motions, except motions in limine, shall be filed and served in sufficient time to permit hearing thereon no later than 30 days prior to trial date. Any motions filed for hearing in violation of this order shall be deemed waived unless good cause is shown. Motions in limine shall be allowed to be filed up to the time of trial or as otherwise ordered by the Court, except that motions in limine related to the qualifications of an expert witness shall be filed not later than the date on which the pretrial order is due.

Counsel shall complete all disclosure of information as follows:

Discovery depositions shall be conducted and limited as required by Federal Rules of Civil Procedure 30(a)(2) and 30(d). Dispositions for trial use shall be taken and all discovery shall be completed not later than 30 days prior to Final Pretrial Conference Date.

Amendments to pleadings, third-party actions, cross-claims, and counterclaims shall be filed no later than 30 days from the date of the Preliminary Conference.

Counsel adding new parties subsequent to mailing of this Notice shall serve on each new party a copy of this Minute Entry. Pleadings responsive thereto, when required, shall be filed within the applicable delays therefor.

Written reports of experts who may be witnesses for Plaintiffs fully setting forth all matters about which they will testify and the basis therefor shall be obtained and delivered to counsel for Defendant as soon as possible, but in no event later than 90 days prior to Final Pretrial Conference Date.

Written reports of experts who may be witnesses for Defendants fully setting forth all matters about which they will testify and the basis therefor shall be obtained and delivered to counsel for Plaintiff as soon as possible, but in no event later than 60 days prior to Final Pretrial Conference Date.

Counsel for the parties shall file in the record and serve upon their opponents a list of all witnesses who may or will be called to testify at trial and all exhibits which may or will be used at trial not later than 60 days prior to Final Pretrial Conference Date.

The Court will not permit any witness, expert or fact, to testify or any exhibits to be used unless there has been compliance with this Order as it pertains to the witness and/or exhibits, without an order to do so issued on motion for good cause shown.

Settlement possibilities were discussed. A further settlement conference will be scheduled at any time at the request of any party to this action.

This case does/does not involve extensive documentary evidence, depositions or other discovery. [No] [S]pecial discovery limitations beyond those established in the Federal Rules, Local Rules of this Court, or the Plan are established [as follows:]

A Final Pretrial Conference will be held on _____ at _____. Counsel will be prepared in accordance with the final Pretrial Notice attached.

Trial will commence on _____, 199_ (or at any time during that week) at ____ A.M. before the District Judge with/without a jury. Attorneys are instructed to report for trial not later than 30 minutes prior

to this time. The starting time on the first day of a jury trial may be delayed or moved up because of jury pooling. Trial is estimated to last _____ day(s).

Deadlines, cut-off dates, or other limits fixed herein may only be extended by the Court upon timely motion filed in compliance with the Plan and Local Rules and upon a showing of good cause. Continuances will not normally be granted. If, however, a continuance is granted, deadlines and cut off dates will be automatically extended, unless otherwise ordered by the court.

UNITED STATES _____ JUDGE

Amended: March 12, 1996

APPENDIX C

THIS PRE-TRIAL NOTICE CONTAINS NEW MATERIAL.
REVISED _____, 1993.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

PRE-TRIAL NOTICE

IT IS ORDERED that a pre-trial conference will be held in chambers before Judge _____, Section _____, in the cases shown on the attached list on the dates and the times there indicated.

The purpose of the pre-trial conference is to secure a just and speedy determination of the issues. If the type of pre-trial order set forth below does not appear calculated to achieve these ends in this case, please arrange a conference with the Judge and opposing counsel immediately so that alternative possibilities may be discussed.

The procedure necessary for the preparation of the formal pre-trial order that will be reviewed and entered at this conference is as follows:

I.

The pre-trial order, in duplicate, must be delivered to the Court's chambers by 4:30 p.m. on a day that allows one full work day prior to the conference, excluding Saturdays, Sundays and holidays (i.e., if the conference is set for 10:00 a.m. Friday, it must be delivered by 4:30 p.m. Wednesday. If the conference is set on Monday, the pre-trial order will be delivered to the Judge on Thursday by 4:30 p.m.).

II.

Counsel for all parties shall confer in person (face to face) or by telephone at their earliest convenience for the purpose of arriving at all possible stipulations and for the exchange of copies of documents that will be offered in evidence at the trial. It shall be the duty of counsel for plaintiff to initiate this conference, and the duty of other counsel to respond. If, after reasonable effort, any party cannot obtain the cooperation of other counsel, it shall be his duty to communicate immediately with the Court. The conference of counsel shall be held at least ten days prior to the date of the scheduled pre-trial conference in order that counsel for all parties can furnish each other with a statement of the real issues each party will offer evidence to support, eliminating any issues that might appear in the pleadings about which there is no real controversy,

and including in such statement issues of law as well as ultimate issues of fact from the standpoint of each party. Counsel for plaintiff then will prepare a pre-trial order and submit it to opposing counsel, after which all counsel jointly will submit the original and one copy of the final draft of the proposed pre-trial order to the Judge.

III.

At their meeting, counsel **must** consider the following:

A. **Jurisdiction.** Since jurisdiction may not ever be conferred by consent and since prescription or statutes of limitations may bar a new action if the case or any ancillary demand is dismissed for lack of jurisdiction, counsel should make reasonable effort to ascertain that the Court has jurisdiction.

B. **Parties.** Correctness of identity of legal entities; necessity for appointment of tutor, guardian, administrator, executor, etc., and validity of appointment if already made; correctness of designation of party as partnership, corporation or individual d/b/a trade name.

C. **Joinder.** Questions of misjoinder or nonjoinder of parties.

IV.

At the pre-trial conference counsel must be fully authorized and prepared to discuss settlement possibilities with the Court. Counsel are urged to discuss the possibility of settlement with each other thoroughly before undertaking the extensive labor of preparing the proposed pre-trial order. Save your time, the Court's time, and the client's time and money.

V.

The pre-trial conference **must** be attended by the attorneys who will try the case, unless prior to the conference the Court grants permission for other counsel to attend. These attorneys will familiarize themselves with the pre-trial rules, and will come to the conference with full authority to accomplish the purposes of Rule 16 of the Federal Rules of Civil Procedure.

VI.

Pre-trial conferences will not be continued except for good cause shown in a **written** motion presented sufficiently in advance of the conference for opposing counsel to be notified.

VII.

Failure on the part of counsel to appear at the conference may result in **sanctions**, including but not limited to sua sponte dismissal of the suit, assessment of costs and attorney fees, default or other appropriate sanctions.

VIII.

All pending motions and all special issues or defenses raised in the pleadings must be called to the court's attention in the pre-trial order.

IX.

The pre-trial order shall bear the signatures of all counsel at the time it is submitted to the Court; the pre-trial order shall contain an appropriate signature space for the Judge. Following the pre-trial conference, the signed copy of the order shall be filed into the record, and the additional copy shall be retained in the Judge's work file. The order will set forth:

1. The date of the pre-trial conference.
2. The appearance of counsel identifying the party(s) represented.
3. A description of the parties, and in cases of insurance carriers, their insured must be identified. The legal relationships of all parties with reference to the claims, counterclaims, third-party claims and cross claims, etc.
4.
 - a. With respect to jurisdiction, a brief summary of the factual basis supporting each claim asserted, whether original claim, counterclaim or third-party claim, etc., and, the legal and jurisdictional basis for each such claim, or if contested, the jurisdictional questions;
 - b. In diversity damage suits, there is authority for dismissing the action, either before or after trial, where it appears that the damages reasonably could not come within the jurisdictional limitation. Therefore, the proposed pre-trial order in such cases shall contain either a stipulation that \$50,000 (or for a case commenced before May 18, 1989, \$10,000) is involved or a resume of the evidence supporting the claim that such sum reasonably could be awarded.
5. A list and description of any motions pending or contemplated and any special issues appropriate for determination

in advance of trial on the merits. If the Court at any prior hearing has indicated that it would decide certain matters at the time of pre-trial, a brief summary of those matters and the position of each party with respect thereto should be included in the pre-trial order.

6. A brief summary of the material facts claimed by:
 - a. Plaintiff
 - b. Defendant
 - c. Other parties.
7. A **single listing** of all uncontested material facts.
8. A **single listing** of the contested issues of fact. (This does not mean that counsel must **concur** in a statement of the issues; it simply means that they must list in a single list all issues of fact.) Where applicable, particularities concerning the following fact issues shall be set forth:
 - a. Whenever there is in issue the seaworthiness of a vessel or an alleged unsafe condition of property, the material facts and circumstances relied upon to establish the claimed unseaworthy or unsafe condition shall be specified with particularity;
 - b. Whenever there is in issue negligence of the defendant or contributory or comparative negligence of the plaintiff, the material facts and a circumstances relied upon to establish the claimed negligence shall be specified with particularity;
 - c. Whenever personal injuries are at issue, the nature and extent of the injuries and of any alleged disability shall be specified with particularity;
 - d. Whenever the alleged breach of a contractual obligation is in issue, the act or omissions relied upon as constituting the claimed breach shall be specified with particularity;
 - e. Whenever the meaning of a contract or other writing is in issue, all facts and circumstances surrounding execution and subsequent to execution, both those admitted and those in issue, which each party contends serve to aid interpretation, shall be specified with particularity;
 - f. Whenever duress or fraud or mistake is in issue, and set forth in the pleadings, the facts and circumstances

relied upon as constituting the claimed duress or fraud or mistake (see Fed. R. Civ. P. 9(b)) shall also be set forth in the pre-trial order;

- g. If special damages are sought, they shall be itemized with particularity. (See Fed. R. Civ. P. 9(g));
 - h. If a conspiracy is charged, the details of facts constituting the conspiracy shall be particularized.
9. A **single listing** of the contested issues of law. (See explanation in 8 above.)
10. For each party, a list and description of exhibits intended to be introduced at the trial. Prior to the confection of the pre-trial order, the parties shall meet, exchange copies of all exhibits, and agree as to their authenticity and relevancy. As to any exhibits to which the parties cannot agree, memoranda shall be submitted on or before five working days prior to trial.
- a. Each list of exhibits first should describe those that are to be admitted without objection, and then those to which there will be objection, noting by whom the objection is made (if there are multiple adverse parties), and the nature of the objection. Markers identifying each exhibit should be attached to the exhibits at the time they are shown to opposing counsel during preparation of the pre-trial order;
 - b. If a party considers he has good cause not to disclose exhibits to be used solely for the purpose of impeachment, he may ex parte request a conference with the Court and make his position known to the Court in camera.
 - c. Where appropriate to preserve trade secrets or privileges, the listing of exhibits may be made subject to a protective order or in such other fashion as the Court may direct. If there are such exhibits, the pre-trial order will state: The parties will discuss exhibits alleged to be privileged (or to contain trade secrets, etc.) at the pre-trial conference.
 - d. In addition to the formal list of exhibits, counsel shall prepare copies for opposing counsel and a bench book of tabbed exhibits delivered to the Court **five** working days before the start of the trial. If the

trial is a jury trial and counsel desires to display exhibits to the members of the jury, then sufficient copies of such exhibits must be available so as to provide each juror with a copy, or alternatively, enlarged photographic copies or projected copies should be used. The Clerk of Court has available an opaque projector, and arrangements for its use should be made directly with the Clerk.

- e. Unless otherwise ordered by the Court, only exhibits included on the exhibit list and/or for which memoranda have been submitted shall be included for use at trial.
 - f. Each counsel shall submit to the Court on the day of trial a list of exhibits properly marked for identification which he or she desires to use at trial.
11. a. A list of all deposition testimony to be offered into evidence. The parties shall, prior to trial, meet and agree as to the elimination of all irrelevant and repetitive matter and all colloquy between counsel. In addition, the parties shall, in good faith, attempt to resolve all objections to testimony so that the Court will be required to rule only on those objections to which they cannot reach an agreement as to their merit. As to all objections to the testimony which cannot be amicably resolved, the parties shall deliver to the Court, not less than **three** days prior to trial, a statement identifying the portions objected to, and the ground therefor. Proponents and opponents shall furnish the Court appropriate statements of authorities in support of their positions as to the proposed testimony.
- b. In non-jury trials, the parties shall, at least **five** days prior to trial, submit to the Court:
- A summary of what each party intends to prove and convey to the Court by the deposition testimony, including, where appropriate, particular page and line reference to said depositions. The parties shall indicate to the Court by page and line numbers, those parts of the deposition which each party intends to use, and upon which each party shall rely, in proving their respective cases.
12. a. A list and brief description of any charts, graphs, models, schematic diagrams, and similar objects which,

although not to be offered in evidence, respective counsel intend to use in opening statements or closing arguments;

- b. Either a stipulation that the parties have no objection to the use of the listed objects for such purpose, or a statement of the objections to their use; and a statement that if other such objects are to be used by any party, they will be submitted to opposing counsel at least three days prior to trial and, if there is then opposition to their use, the dispute will be submitted to the Court at least one day prior to trial.
- 13.
- a. A list of witnesses for all parties, including the names, addresses and statement of the general subject matter of their testimony (it is not sufficient to designate the witness simply "fact," "medical" or "expert"), and an indication in good faith of those who will be called in the absence of reasonable notice to opposing counsel to the contrary;
 - b. A statement that the witness list was filed in accordance with prior court orders. No other witness shall be allowed unless agreeable to all parties and their addition does not affect the trial date. This restriction will not apply to rebuttal witnesses or documents whose necessity cannot be reasonably anticipated. Furthermore, in the case of expert witnesses, counsel shall certify that they have exchanged expert reports in accordance with prior court orders. Expert witnesses whose reports have not been furnished opposing counsel shall not be permitted to testify nor shall experts be permitted to testify to opinions not included in the reports timely furnished;
 - c. Except for good cause shown, the Court will not permit any witness to testify unless with respect to such witness there has been complete compliance with all provisions of the pre-trial order and prior court orders;
 - d. Counsel shall not be allowed to ask questions on cross-examination of an economic expert which would require the witness to make mathematical calculations in order to frame a response unless the factual elements of such questions shall have been submitted to that expert witness not less than three full working days before trial.

14. A statement indicating whether the case is a jury or non-jury case.
 - a. If the case is a jury case, then indicate whether the jury trial is applicable to all aspects of the case or only to certain issues, which issues shall be specified. In jury cases, add the following provisions:

"Proposed jury instructions, special jury interrogatories, trial memoranda and any special questions that the Court is asked to put to prospective jurors on voir dire shall be delivered to the Court and opposing counsel not later than five working days prior to the trial date, unless specific leave to the contrary is granted by the Court."
 - b. In a non-jury case, suggested findings of fact and conclusions of law and a separate trial memorandum are required, unless the Court enters an order that such is not required. Same are to be submitted not less than five full working days prior to trial;
 - c. In a jury case, a trial memorandum shall be required only when and to the extent ordered by the Court. However, any party may in any event submit such memoranda not less than five working days prior to trial and should accomplish this with respect to any anticipated evidentiary problems which require briefing and jury instructions requiring explanation beyond mere citation to authority.
15. In cases where damages are sought, include a statement for completion by the Court, that "The issue of liability (will or will not) be tried separately from that of quantum." It is the policy of this Court in appropriate cases to try issues of liability and quantum separately. Accordingly, counsel should be prepared to discuss at the pre-trial conference the feasibility of separating such issues. Counsel likewise should consider the feasibility and desirability of separate trials as to other issues.
16. A statement describing any other matters that might expedite a disposition of the case.
17. A statement that trial shall commence on _____, 19__ at ____ a.m./p.m. A realistic estimate of the number of

trial days required. Where counsel cannot agree upon the number of trial days required, the estimate of each side should be given. In addition, the proposed order must contain a sentence including the trial date and time previously assigned.

18. The statement that "This pre-trial order has been formulated after conference at which counsel for the respective parties have appeared in person. Reasonable opportunity has been afforded counsel for corrections, or additions, prior to signing. Hereafter, this order will control the course of the trial and may not be amended except by consent of the parties and the Court, or by order of the Court to prevent manifest injustice."
19. The statement that "Possibility of settlement of this case was considered."
20. The proposed pre-trial order must contain appropriate signature spaces for counsel for all parties and the Judge.

IT IS FURTHER ORDERED that the foregoing pre-trial notice be mailed to counsel of record for all parties to these cases, and counsel will comply with the directions set forth herein.

New Orleans, Louisiana

UNITED STATES DISTRICT JUDGE

**EACH NUMBERED PARAGRAPH IS TO BE PRECEDED
BY A HEADING DESCRIPTIVE OF ITS CONTENT**