

Pretrial Conferences

Pretrial conferences will generally be conducted telephonically. Pretrial conferences are set by the Court in all adversary proceedings. Counsel for the parties will be required to communicate and address several issues in advance of the pretrial conference. See sample notice of pretrial.

The Court will also schedule a status conference at the request of the litigants.

Trial Setting

A trial date will ordinarily be set at the time of the Pretrial Conference. Depending on the needs of the case, a notice of trial, pretrial order, or supplemental order may set requirements or deadlines regarding discovery, exhibits, witness lists, trial briefs, or similar matters.

Discovery Practices

If a pretrial conference is held, discovery issues, including deadlines, will be addressed at that time. Absent a specific order, discovery is governed by the Federal Rules of Bankruptcy Procedure. See *also* Local Bankruptcy Rules 7005.1 and 7026.1.

Motions regarding discovery disputes are governed by Local Bankruptcy Rule 7037.1

Trial Briefs

Unless otherwise ordered, Judge Myers requires the submission of trial briefs.

Preparation of Exhibits

Marking and exchanging exhibits is addressed in the pretrial order. Contact the courtroom deputy with questions regarding marking and binding exhibits. Judge Myers requires a witness original and a bench copy of exhibits. Absent the filing of a settlement agreement, parties must comply with deadlines for filing pretrial briefs and witness and exhibit lists, notwithstanding the fact that settlement negotiations may be ongoing.

Parties should be prepared at the beginning of trial to stipulate to the admission of any uncontested exhibits.

Jury Demand/Jury Trials

Jury demands or requests may be ruled upon based solely on the pleadings and briefing, or may be set for hearing.