

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DADE DIVISION**

In re:

[INSERT DEBTOR NAME]

Debtor

\_\_\_\_\_ /

[INSERT PLAINTIFF NAME]

Plaintiff

vs.

[INSERT DEFENDANT NAME]

Defendant

\_\_\_\_\_ /

Case Number: [INSERT CASE NO.]

Chapter [INSERT NO.]

Adv. No. [INSERT ADVERSARY CASE NO.]

**ORDER SETTING REQUIREMENTS FOR TRIAL**

To expedite and facilitate the trial of this adversary proceeding, in accordance with Fed. R. Civ. P. 16, made applicable here by Fed. R. Bankr. P. 7016, after having held a Pre-trial conference, it is **ORDERED** as follows:

1. **TRIAL DATE**. The Trial will be held at:

**Date: [INSERT DATE]**

**Time: [INSERT TIME]**

**Location: C Clyde Atkins, U.S. Courthouse, 301 N Miami Ave,  
Court Room 7, Miami, FL 33128**

2. **WITNESS LISTS; EXPERT DISCLOSURES.** No later than seven days before the trial, all parties must exchange and file with the Court witness lists identifying all fact and expert witnesses each party intends to call at the trial (other than rebuttal or impeachment witnesses). Witness lists must include the information required by Federal Rules of Civil Procedure 26(a)(2) and (3), including any expert reports or, if a written report is not required, a summary of facts and opinions to which an expert witness is expected to testify.
3. **PRESENTATION OF EXHIBITS DURING TRIAL.** The parties are strongly encouraged to use the Court's information technology equipment to show exhibits at trial. The parties are further encouraged to contact the courtroom deputy in advance of the trial for access to the equipment to ensure counsel can properly use the equipment at trial. Unless otherwise ordered, each party must bring at least one paper copy of its exhibit register for the Court's use, and at least two hard-copy books of all its exhibits, for witnesses and the Court.
4. **SERVICE.** Plaintiff('s)(s') counsel must serve a copy of this Order on the defendant(s) and file an appropriate certificate of service in accordance with Local Rule 5005-1(G)(2).
5. **SUMMARIES TO PROVE CONTENT.** If any party intends to offer in evidence at the trial a summary, chart or calculation to prove content as permitted by Federal Rule of Evidence 1006, that party must provide to the other parties a notice of the location(s) of the books, records, and the like, from which each summary has been made, and the reasonable times when they may be inspected and copied by adverse parties, as soon as practicable but in no event later than seven days before the trial.
6. **SUBMISSION AND EXCHANGE OF EXHIBITS.** No later than 4:00 p.m. four business days before the trial, the parties must submit and exchange exhibits pursuant to Interim Local Rule 9070-1 (adopted by Administrative Order 2020-09).
7. **OBJECTIONS TO EXHIBITS.** Any objection to the admissibility of any proposed exhibit or to any deposition transcripts, including any recording (audio or video) or summary thereof, must be filed and served, so as to be received no later than 4:00 p.m. two business days before the trial. Objections must (a) identify the exhibit, (b) state the grounds for the objection, and (c) provide citations to case law and other authority in support of the objection. **An objection not so made – except for one under Federal Rule of Evidence 402 or 403 – is waived unless excused by the Court for good cause.**
8. **STIPULATION OF FACTS.** No later than 4:00 p.m. two business days before the trial, the parties must file a bilateral stipulation of uncontested facts. Counsel for all

parties must sign the stipulation of uncontested facts. The failure of counsel to prepare and submit the bilateral stipulation may result in sanctions. **This paragraph does not apply if any party is self-represented.**

9. **COMPLIANCE WITH FEDERAL JUDICIARY PRIVACY POLICY**. All papers submitted to the Court, including exhibits, must comply with the federal judiciary privacy policy as referenced under Local Rule 5005-1(A)(2).
10. **FINAL ARGUMENT**. At the conclusion of the trial, in lieu of final argument, the Court may require that each party file a brief in the form of proposed findings of fact and conclusions of law.
11. **SETTLEMENT**. If the matter is settled, the parties must submit to the Court a stipulation approved by all parties and a motion for approval of the same prior to the date of the trial. If a stipulation and motion are not submitted to the Court, all parties must be prepared to proceed with the trial. If the trial is removed from the calendar based upon the announcement of a settlement, the trial will not be reset if the parties fail to consummate the settlement. In such event, the Court will consider only a motion to enforce the settlement, unless the sole reason the settlement is not consummated is that the Court did not approve the settlement, in which case the matter will be reset for trial at a later date.
12. **CONTINUANCES**. Continuances of the trial or any deadlines set forth in this order must be requested by written motion. Any request for continuance or amendment to this order must set forth the status of discovery and must state the reasons why the party or parties seek a continuance.
13. **SANCTIONS**. Failure to appear at the trial or to comply with any provision of this order may result in appropriate sanctions, including the award of attorney's fees, striking of papers, or the exclusion of exhibits or witnesses.

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