FORM 50A
PRE-TRIAL CONFERENCE MEMORANDUM

(*General heading*)

(*Cause no.*)   (*Date*)

PRE-TRIAL CONFERENCE MEMORANDUM

This pre-trial conference memorandum is prepared on behalf of the (*party*):

PART I

STATE THE NATURE OF THE ACTION AND THE RELIEF CLAIMED AND THE THEORY OF THE PARTY PREPARING THE MEMORANDUM:

PART II

PLEADINGS:

Are the pleadings complete?	_____
Have the Rules of Court pertaining to the pleadings been complied with?	_____
What amendments are required?	_____
If any preliminary motions are contemplated, please explain their nature.	_____
Has oral discovery been completed?	_____
Are productions complete?	_____
Are all required transcripts available?	_____
When will you be ready for trial?	_____
Please indicate if there are any times at which the case cannot proceed because of the unavailability of witnesses or for other good reasons:	_____
How long should the trial last?	_____

PART III

ISSUES:

What are the legal issues to be determined at trial?

What facts must the plaintiff prove?

Are there any issues which place an onus of proof on the defendant(*s*)? If so, please identify:

Could the determination of any issue(*s*) of law before trial have the effect of substantially disposing of the whole case? If so, please identify the issue(*s*)?

PART IV

PROOF:

1.   Please list any relevant facts that are admitted.
2.   Please identify any fact of which the court will be asked to take judicial notice.
3.   Please identify any presumption(*s*) of law that will be relied on.
4.   Will there be an application for the court to take a view?
5.   Please indicate the nature of any experiment to be conducted in Court.
6.   Is this a case where the court should consider appointing its own expert to enable it to better understand evidence of a technical or specialized nature?
7.   Will counsel be reading any of the Examination for Discovery into the record?
8.   Will any commission evidence be tendered?
9.   Will any evidence *de bene esse* be tendered?
10.   Will any affidavit evidence be tendered?
11.   Will evidence of a witness taken in prior proceedings be tendered?
      Please list the name of each non-expert witness you plan to call and opposite the name briefly indicate the nature of the witness' testimony and indicating the issue to which it relates.
12.   Will an agreed statement of facts be filed?
      Please list the name of each expert witness you plan to call and opposite his or her name list the witness' field of expertise and the issue on which the expert will be testifying.
      Have reports been filed and all required notices given?
      Will any business records be tendered and has the appropriate notice been given?
      List the documents to be introduced and opposite each state the purpose for introducing it.
      What evidentiary problems, if any, do you foresee?
      What expert's reports, business records, documents, etc. may be filed prior to the trial in order that the trial judge may view those reports.

If it is not agreed that an expert's report, a business record or document can be filed for the perusal of the trial judge, what is the reason for the disagreement.

RELIEF:

What relief is requested?

Under what headings are damages being claimed?

Please list the nature and particulars of any special damages being claimed.

Please list each heading upon which general damages are claimed?

If punitive or exemplary damages are being claimed, please indicate the basis of the claim:

If the relief claimed is other than for damages, please describe the desired order:

AUTHORITIES:

What statutory provisions apply to the case?

Please list the main authorities on which you intend to rely and indicate which issue they relate to: (*It is not necessary to cite authorities for the well-known basic legal concepts. It is only necessary to cite the authorities that have peculiar reference to this case*).

Please attach photocopies of any cases you cite.

(*Date*)

(Name, address and telephone
number of lawyer or party)

TO: (*Identify party*)