Court File No:\_\_\_\_\_\_\_\_\_

**SUPREME COURT OF PRINCE EDWARD ISLAND**

***(\_\_\_\_\_\_\_\_\_\_ SECTION)***

BETWEEN

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

PLAINTIFF/APPLICANT

(Select Applicable)

AND

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DEFENDANT/RESPONDENT

(Select Applicable)

**TRIAL READINESS PRE-TRIAL CONFERENCE MEMORANDUM**

This trial readiness pre-trial conference memorandum is prepared on behalf of: \_\_\_\_\_\_\_\_\_\_\_\_ (party)

**PART I – OVERVIEW**

State the nature of the action, the relief claimed and the theory of the party preparing the memorandum: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**PART II – PLEADINGS/STATUS**

**A. PLEADINGS**

1. Are the pleadings complete? Yes  No

2. Have the *Rules of Court* pertaining to the pleadings Yes  No   
 been complied with?

3. Are any amendments required? Yes  No  4. If amendments are required, provide details and timeline: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**B. DISCOVERIES/TRANSCRIPTS**

1. Are discoveries complete? Yes  No

2. If no, details of outstanding discoveries: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. Are all transcripts available? Yes  No

4. If no, when are transcripts expected? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**C. UNDERTAKINGS/DOCUMENTS**

1. Are all undertakings complete? Yes  No

2. If no, details of outstanding undertakings: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. Are there any outstanding production obligations? Yes  No

4. If yes, details of outstanding productions: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**D. JURY TRIAL**

1. Has a jury notice been filed? Yes  No

2. Has the jury fee been paid? Yes  No

3. Are there any issues related to the jury notice? Yes  No

If yes, provide details: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**PART III – ISSUES/PROOF**

1. What are the legal issues to be determined at trial? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. What facts must the plaintiff prove? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. Are there any issues which place an onus of proof on the Yes  No   
 defendant(s)?   
 If yes, provide details: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

4. Could the determination of any issue(s) of law before trial have the effect of substantially disposing of the whole case? Yes  No   
 If yes, provide details: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

5. List any relevant facts that are admitted: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

6. Will an agreed statement of facts be filed? Yes  No

7. Will the court be asked to take judicial notice of any fact? Yes  No   
 If yes, provide details: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

8. Identify any presumption(s) of law that will be relied on: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

9. Will there be an application for the court to take a view? Yes  No   
 If yes, provide details: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

10. Will counsel be reading any discovery examinations into Yes  No   
 the record?   
 If yes, provide details: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

11. Will any affidavit evidence be tendered? Yes  No   
 If yes, provide details: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

12. Will evidence of a party or other witness taken in any prior Yes  No   
 proceedings be tendered?   
 If yes, provide details: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

13. Will any business records be tendered? Yes  No   
 If yes, provide details: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 If yes, has the appropriate notice been given? Yes  No

14. List the documents to be introduced and opposite each state the purpose for introducing it: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**PART IV – WITNESSES/EXPERTS**

**A. PLAINTIFF: NON-EXPERT WITNESSES**

1. List the name of witness; nature of testimony (issue testimony relates to); and, estimated duration of testimony:

a. Name of Witness: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 i) Nature of testimony (issue testimony relates to): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 ii) Estimated duration of testimony: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

b. Name of Witness: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 i) Nature of testimony (issue testimony relates to): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 ii) Estimated duration of testimony: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

c. Name of Witness: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 i) Nature of testimony (issue testimony relates to): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 ii) Estimated duration of testimony: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

d. Name of Witness: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 i) Nature of testimony (issue testimony relates to): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 ii) Estimated duration of testimony: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. Total estimated number of days for plaintiff’s non-expert witnesses: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**B. DEFENDANT: NON-EXPERT WITNESSES**

1. List the name of witness; nature of testimony (issue testimony relates to); and, estimated duration of testimony:

a. Name of Witness: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 i) Nature of testimony (issue testimony relates to): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 ii) Estimated duration of testimony: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

b. Name of Witness: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 i) Nature of testimony (issue testimony relates to): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 ii) Estimated duration of testimony: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

c. Name of Witness: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 i) Nature of testimony (issue testimony relates to): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 ii) Estimated duration of testimony: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

d. Name of Witness: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 i) Nature of testimony (issue testimony relates to): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 ii) Estimated duration of testimony: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. Total estimated number of days for defendant’s non-expert witnesses: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**C. PLAINTIFF: EXPERT WITNESSES**

1. Are any experts being called? Yes  No

2. If yes, list: name of expert; proposed field of expertise; issue testimony relates to; whether report has been provided to opposing party; and, estimated duration of testimony:

a. Name of Expert: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 i) Field of expertise: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 ii) Issue testimony relates to: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 iii) Has report been provided to opposing party and all Yes  No    
 required notices given?   
 If not, when will report be provided to opposing party? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 iv) Estimated duration of testimony: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
  
 b. Name of Expert: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 i) Field of expertise: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 ii) Issue testimony relates to: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 iii) Has report been provided to opposing party and all Yes  No    
 required notices given?   
 If not, when will report be provided to opposing party? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 iv) Estimated duration of testimony: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   
  
 3. Total estimated number of days for plaintiff’s expert witnesses: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**D.** **DEFENDANT: EXPERT WITNESSES** 1. Are any experts being called? Yes  No

2. If yes, list: name of expert; proposed field of expertise; issue testimony relates to; whether report has been filed; and, estimated duration of testimony:

a. Name of Expert: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 i) Field of expertise: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 ii) Issue testimony relates to: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 iii) Has report been provided to opposing party and all Yes  No    
 required notices given?  
 If not, when will report be provided to opposing party? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 iv) Estimated duration of testimony: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
  
 b. Name of Expert: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 i) Field of expertise: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 ii) Issue testimony relates to: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 iii) Has report been provided to opposing party and all Yes  No    
 required notices given?  
 If not, when will report be provided to opposing party? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 iv) Estimated duration of testimony: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
  
 3. Total estimated number of days for defendant’s expert witnesses: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**E. OTHER ISSUES RELATED TO EXPERTS** 1. Should *voir dires* related to experts be heard in advance of trial? Yes  No

2. Address any additional issues related to experts (i.e. status of report; status of curriculum vitae; scope of proposed expertise; potential consent of opposing party on qualifications or scope of expertise): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. Should the court consider appointing its own expert? Yes  No   
 If yes, provide details: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**PART V – OTHER PRE-TRIAL MATTERS/FILINGS**

**A. PRE-TRIAL MOTIONS**

1. Are any pre-trial motions anticipated? Yes  No

2. If yes, address the following:

a. Which party is making the motion: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

b. Purpose/relief sought: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

c. Will affidavits be filed? Yes  No

d. Names of affiants: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

e. Will examinations be held outside of court? Yes  No   
  
 f. Or, will leave be sought to examine within the Yes  No   
 motion hearing?

g. Amount of time being sought for the motion: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
  
**B. OTHER PRE-TRIAL MATTERS**

1. Are any other steps required before trial? Yes  No

If yes, provide details and anticipated timeline: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. Are there any evidentiary or other trial related matters, and if so, provide details: \_\_\_\_\_\_\_  
 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**C. ADDITIONAL FILINGS**

1. List the experts’ reports, business records, or other documents that will be filed prior to the trial in order that the trial judge may view those reports, records or documents: \_\_\_\_  
 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. If such reports, records or other documents will not be filed prior to the trial, indicate reason: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. Has the Trial Record been filed? Yes  No   
 If not, when will it be filed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

4. When will pre-trial briefs be filed? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**PART VI – OTHER TRIAL RELATED MATTERS**

**A. ACCOMMODATIONS**

Are any accommodations required for counsel or witnesses (for example, related to mobility or hearing)? Yes  No  If yes, provide details: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**B. INTERPRETERS**

Are interpreters required? Yes  No  If yes, provide details: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**C. IT/RELATED**

1. Are there any IT/related needs (i.e. related to video evidence)? Yes  No

If yes, provide details: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. Are there any requests for counsel or witnesses to Yes  No    
 participate virtually?   
 If yes, list names and reason for request:

a. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 b. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 c. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 d. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**D. EAGLE FEATHER OR HOLY BOOK**  
  
 1. Will any witnesses be requesting to affirm with the Eagle Feather? Yes  No   
 If yes, list names:

* 1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
  2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. Will any witnesses be requesting to swear on a holy book other than   
 a Christian Bible? Yes  No   
 If yes, provide name of witness and requested holy book:

1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**E. OTHER**

Are there any additional matters that should be addressed at the

trial readiness pre-trial conference?Yes  No

If yes, provide details: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**VII – RELIEF/AUTHORITIES**

**A. RELIEF**

1. What relief is requested? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. Under what headings are damages being claimed? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. List the nature and particulars of any special damages being claimed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

4. If punitive or exemplary damages are being claimed, indicate the basis of the claim: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**B. AUTHORITIES**

1. What statutory provisions apply to the case? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. List the main authorities on which you intend to rely and indicate which issue they relate to: (Attach photocopies of any cases you cite, other than cases listed in any Common List of Authorities addressed in the Practice Directions): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**VIII – TRIAL STATUS**

1. Is the matter ready for trial? Yes  No

2. If not, what additional steps are required: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. When will you be ready for trial? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

4. Are there any times at which the trial cannot proceed because of the unavailability of witnesses or for other good reasons: Yes  No   
 If yes, provide details: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

5. Number of days to present the party’s case: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

6. What is the party’s estimate of the total length of the trial: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

7. Does this estimate take into account added time required for a jury trial (if applicable)?   
 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |  |
| --- | --- | --- |
|  |  |  |
| *(Date)* |  | *(Name, address, email address and telephone number of lawyer or party)* |

TO: *(Identify opposing party)*

Updated to June 11, 2025/hm