

Rule 7016-1. Pre-Trial Procedures

A. Trial Date. The trial date is generally set when the adversary complaint is filed and will be stated on the summons. Parties may request an earlier trial date.

B. Pretrial Period. In an adversary action, parties generally will be given 60 days to complete pretrial procedures which may be adjusted for cause.

C. Pretrial Conference; Scheduling Order. Discovery and pretrial conferences, and orders scheduling discovery may be set by the Court or on request of a party. If the Court determines that the Conference of Parties and Discovery Plan specified in Fed. R. Civ. P. 26(f) should be required in a particular proceeding, the Court shall enter a scheduling order as contemplated by Fed. R. Civ. P. 16(b). Plaintiff shall serve the pretrial order, summons, and complaint on all parties unless otherwise ordered. The attorney who will handle the trial shall participate in all conferences unless excused by the Court. Counsel must have authority to agree to uncontroverted facts and to the scope and scheduling of discovery.

D. Witnesses. Not later than three business days before trial, or as set forth in a pretrial order, parties shall electronically file and serve a witness list.

E. Exhibits. Not later than three business days before trial, or as set forth in a pretrial order, parties shall electronically file and serve an exhibit index, and mark and electronically file and serve all trial exhibits.

1. **Paper copies.** Unless otherwise ordered, it is not necessary to provide paper copies of the exhibit index or exhibits to the Court, except as specified below:
 - a. If exhibits exceed 200 pages in total length, paper copies, marked and organized in document binders, shall be delivered to the Court in chambers in accordance with the timelines set forth in the Court's Pretrial Order or order in a contested matter; and
 - b. Paper copies should be available for use by witnesses at trial.
2. **Filing order.** The exhibit index shall be filed first as the main document, using the approved Local Form (**see Local Form – MOW 7016-1.1**). Individual marked and redacted exhibits shall then be filed, in their entirety, as attachments to the exhibit index. The exhibit index shall describe all exhibits with sufficient detail to allow for easy identification during trial.
3. **Marking and redaction.** All exhibits shall be marked before filing. Plaintiff/movant exhibits will be marked with numbers, and defendant/respondent exhibits will be marked with letters. All exhibits shall also be properly redacted before filing pursuant to Fed. R. Bankr. P. 9037, or other applicable law.
4. **Exhibits unsuitable for electronic filing.** Parties may move the Court for a waiver of the electronic filing requirement for exhibits unsuitable for such filing.

5. **Non-Compliance.** The Court may exclude evidence not filed in accordance with this rule.