

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

_____	:	Case No. _____
_____	:	Chapter ____
<i>Debtor(s)</i>	:	
_____	:	
_____	:	
<i>Movant,</i>	:	
	:	Related to Document No. _____
v.	:	
_____	:	Hearing:
_____	:	
<i>Respondent.</i>	:	

**ORDER SETTING EVIDENTIARY HEARING**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 200\_\_, after hearing on the Movant's \_\_\_\_\_ and Respondent's \_\_\_\_\_ filed in response thereto, and the agreement of counsel that the only issue for the Court to decide involves \_\_\_\_\_ referenced in the \_\_\_\_\_,

It is hereby **ORDERED** an evidentiary hearing on the above matter is scheduled for \_\_\_\_\_, 200\_\_ at \_\_\_\_\_ .M. in Courtroom D, 54<sup>th</sup> Floor, U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219. **Discovery shall close on** \_\_\_\_\_.

It is **FURTHER ORDERED** that *on or before* \_\_\_\_\_, 200\_\_:

- (1) Each Party shall e-file their respective expert reports, if any, and hand deliver a courtesy, original copy of the same to the Court for use by the Court at the time of hearing;
- (2) The Parties shall cooperate in the exchange of all documents incidental and related to the matter at issue and file an Exhibit List identifying all exhibits to be offered at the time of the evidentiary hearing and simultaneously providing the Court a courtesy copy of the exhibits and Exhibit List. Unless an objection is noted on the Exhibit List, exhibits will be admitted without further testimony. Any objections noted on the list as to the admissibility of

a specific exhibit will be resolved prior to use of the exhibit. All exhibits upon which there is an agreement as to admissibility shall be pre-marked as “Court Exhibits” in numerical fashion (“CR-1”, “CR-2”, etc.) with subcategories of exhibits pre-marked alphabetically (“CR-1(a)”, “CR-1(b)”, etc.) The Debtor’s exhibits shall be pre-marked *numerically* with subcategories of exhibits pre-marked *alphabetically* (“1(a)”, “1(b)”, etc.) The Respondent’s exhibits shall be pre-marked *alphabetically* with subcategories of exhibits pre-marked *numerically* (“A(1)”, “A(2)”, etc.) *No other documents will be admitted at the time of the evidentiary hearing unless counsel shows cause for their prior non-disclosure pursuant to this Order. Mere inability to timely locate documents shall not constitute cause.*

- (3) Exhibits cumulatively numbering in excess of 20, single-sided, total pages (not including an “Exhibit List” cover page index) shall be bound in some manner, i.e., in looseleaf notebook or hard binding (with binding on the left, not the top), at the time of presentation to the Court and for use during any proceeding. Each exhibit page shall be collectively numbered in the lower right hand corner of each page of the collective exhibit document, from the first page to the last page, independent of exhibit identification numbers previously placed on exhibits at the bottom, center of the first page of the exhibit, to the extent possible.
- (4) To the extent the Parties agree to present their case upon stipulated facts and without live testimony, all or in part, the Parties shall file their Stipulation setting forth all of the agreed upon facts to be relied upon by the Court in rendering its decision.

It is ***FURTHER ORDERED*** that ***Failure by any Party to comply with any terms of this Order*** will result in the imposition of sanctions on said Party by, *inter alia*, reprimand, fine, prohibition against said Party for offering testimony and/or dismissal.

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Thomas P. Agresti  
United States Bankruptcy Judge

Case Administrator to mail to:  
Trustee  
Debtor  
Counsel for Debtor/Movant  
Counsel for Respondent