

**APPENDIX C TO COURT PROCEDURES  
FOR HONORABLE ALAN B. JOHNSON**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING**

_____	)	
	)	
Plaintiff(s),	)	
	)	
vs.	)	No. _____-CV-_____-J
	)	
_____	)	
	)	
Defendant(s).	)	

**JOINT FINAL PRETRIAL MEMORANDUM**

Counsel for the parties in the above captioned matter hereby jointly submit this Joint Final Pretrial Memorandum.

(a) *Jurisdiction and Parties.*

Briefly set out why the court has full and complete jurisdiction of the subject matter and the parties. If there is an unresolved jurisdictional question, state the problem.

(b) *General Nature of the Claims and Contentions of the Parties.*

State concisely in separate paragraphs what each party claims.

(c) *Uncontroverted Facts.*

List all facts which have been stipulated and admitted and require no proof.

(d) *Contested Issues of Fact.*

List all factual issues in controversy necessary to the final disposition of the case.

(e) *Contested Issues of Law.*

State briefly the issues of law in dispute. A memorandum of law may be filed which addresses these issues, if appropriate.

(f) *Agreed Applicable Propositions of Law.*

Delineate legal propositions not in dispute.

(g) *Exhibits.*

Each counsel must attach to this Joint Final Pretrial Memorandum a list of all exhibits to be offered and must provide copies of all such exhibits to opposing counsel. This rule applies to rebuttal exhibits except in the limited circumstances when the exhibits cannot be anticipated.

Exhibits must be listed and marked in accordance with Local Rule 16.2(b)(3).

Any counsel requiring authentication of an exhibit must so notify in writing the offering counsel within seven (7) business days after the exhibit is made available to opposing counsel for examination. Failure to do so is an admission of authenticity.

Exhibits listed in the Joint Final Pretrial Memorandum may be admitted into evidence unless opposing counsel has filed timely separate written objections, with copies of the disputed exhibit and authority.

(h) *Depositions.*

List any matters and issues to be considered relating to depositions. The Court also notes here that any party proposing to offer all or any portion of a deposition shall notify opposing counsel at least ten (10) business days before trial of the offers to be made (unless the necessity for using the deposition develops unavoidably thereafter). If objection is to be made, or if additional portions of a deposition are to be requested, opposing counsel will notify offering counsel at least seven (7) business days before trial of such objections or requests.

(i) *Discovery.*

State whether discovery has been completed or identify any outstanding issues regarding discovery that must be addressed by the Court.

(j) *Witnesses.*

Each party shall list and attach to the Joint Final Pretrial Memorandum the names and addresses of witnesses, indicating whether the witness will or may be called, and shall also include a brief statement of the subject matter and substance of the testimony of the listed witness. The parties must state whether the witness is or is not available for trial.

(k) *Amendments to Pleadings.*

State whether there are requests to amend pleadings and describe the nature of the requested amendment.

(l) *Motions in Limine.*

State whether any party will file or has filed a motion in limine.

**All motions in limine must be filed on or before the date the Joint Final Pretrial Memorandum is due.**

(m) *Pending Motions.*

List any other outstanding pending motions.

(n) *Jury Instructions.*

The parties shall also submit their respective requests for instructions, proposed verdict forms and proposed voir dire questions seven (7) business days prior to the commencement of trial, subject to the right of counsel to supplement such requests during the course of trial on matters that cannot be reasonably anticipated. Each party is to submit a separate concise statement of their contentions no longer than one and one-half pages in length. Requests for instructions are to include one set with authority and one additional set ready for submission to the jury; no signature block on the bottom of each instruction is necessary. Proposed Jury Instructions, Special Verdict forms and proposed voir dire shall be submitted in writing and filed, as usual, and also sent as an attachment via email directly to Judge Johnson's Chambers, [wyojudgeabj@wyd.uscourts.gov](mailto:wyojudgeabj@wyd.uscourts.gov), formatted for Wordperfect or Word.

(o) *Other Matters.*

List any other matters that the parties believe should be considered by the Court and discussed during the Final Pretrial Conference.

(p) *Trial Setting.*

Include in this paragraph the following:

- Whether the trial will be jury or non-jury;
- The probable length of trial;
- Availability of witnesses,

(q) *Settlement.*

Include a statement addressing whether or not all settlement efforts have been exhausted and whether the case can reasonably be expected to settle.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
COUNSEL FOR PLAINTIFF

\_\_\_\_\_  
COUNSEL FOR DEFENDANT

\_\_\_\_\_  
COUNSEL FOR

\_\_\_\_\_  
COUNSEL FOR