

APPENDIX III

May 17, 2004

Mr. John Doe, Esquire
123 Park Place
Anytown, USA

Re: Estate of Martha Washington, Case No. 04P-###

Dear John:

This case is set for non-jury trial in Probate Court for Wednesday, September 7, 2004 at 10:00 a.m. Though your case is set for 10:00 a.m., other cases, if brief, may be heard prior to your trial. A period of two hours has been allotted for this trial. Please advise my Judicial Assistant, Kitty Lammers, at 862-5990 if the estimated trial time should change.

1. Pre-Trial Conference. Pursuant to Rule 16, a pre-trial conference is scheduled for

_____.

[Or alternatively]

1. Pre-Trial Conference.

No pre-trial conference is scheduled for this matter.

2. Subpoenas.

Local Rule 28 requires the issuance of subpoenas ten (10) days prior to trial for local witnesses and fourteen (14) days prior to trial for out-of-county witnesses (as a minimum); however, this Court encourages the issuance of subpoenas at the earliest reasonable opportunity. This is a courtesy to the witnesses and provides greater certainty that the trial will proceed as scheduled. This Court disfavors requests for continuances due to the absence of a witness whose subpoena was issued at the last moment.

3. Exhibits and Witnesses.

Pursuant to Rule 29, at least 72 hours before the trial (excluding weekends and holidays), counsel shall meet or shall hold a telephone conference:

(a) to exchange names, addresses and phone numbers of witnesses, including anticipated impeachment or rebuttal witnesses; and

(b) to discuss proposed exhibits and whether viewing of same is necessary or whether they can be faxed or mailed to opposing counsel. In the absence of a face-to-face meeting, exhibits shall be made available for viewing at least 72 hours before the trial. Unless the exhibits are voluminous or bulky, counsel shall make appropriate copies for use at trial. There should be one copy for each attorney, one for the witness and one for the Court.

4. Discovery Disputes.

All discovery disputes including inadequate responses and/or failure to supplement discovery shall be resolved, and any rulings required of the Court shall be ruled upon no less than 72 hours prior to trial, excluding weekends and holidays.

5. Pretrial Motions.

All pretrial motions, except for those that can be handled in a minimal amount of time, shall be resolved and ruled upon by the Court no less than 72 hours prior to trial, excluding weekends and holidays.

6. Trial Briefs.

Trial briefs are required in all non-jury cases, pursuant to Local Rule 29, and must be filed at least 72 hours prior to the trial, excluding weekends and holidays.

Sincerely,

Randy Kennedy, Judge

RK/kl