

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

In re:)	Bankruptcy No.
)	
)	Chapter
Debtor(s).)	
_____)	Judge Lynch
)	
)	
Plaintiff(s),)	
)	
v.)	Adv. No.
)	
)	
Defendant(s).)	
)	

PRETRIAL ORDER FOR HEARING ON MOTION

Upon due notice, and all parties being afforded due and sufficient opportunity to be heard, the Court has scheduled an evidentiary hearing on this matter (ECF No. __) which shall begin at __: __.m. on _____. In accordance with the Court’s General Order 20-05 and Fed. R. Civ. P. 43(a), this trial will be conducted remotely by videoconference using the Zoom for Government platform (www.zoomgov.com);

The following terms shall govern the future course of this proceeding. **FAILURE TO COMPLY WITH THE PROVISIONS OF THIS ORDER WILL RESULT IN THE IMPOSITION OF APPROPRIATE SANCTIONS PURSUANT TO FED. R. CIV. P. 16(f), which may include waiver of claims or defenses, dismissal, default, exclusion or admission of evidence, fines or monetary sanctions or such other sanction as justice may require.**

TRIAL OF THIS MATTER SHALL BE CONDUCTED AS FOLLOWS:

1. Continuances. No continuance of the trial date or other relief from this Pretrial Order will be granted except for good cause shown.
2. Exhibits. On or before _____, the parties must exchange with one another all exhibits that they anticipate offering into evidence. No other exhibits may be introduced at trial, except for rebuttal purposes. In addition, each party shall provide to the Court an electronic copy of their exhibit list and all exhibits in PDF format via email to **Lynch_Exhibits@ilnb.uscourts.gov** on or before _____. Each exhibit should be marked with an exhibit number and attached to the email as a separate PDF file. The Movant shall number its exhibits numerically and the Debtor shall number its exhibits alphabetically. Each page of each exhibit shall bear a consecutively numbered page number. These exhibits will be used at trial through the Court’s evidence presentation system and counsel should familiarize themselves with that system before

trial.

3. Witness List. On or before _____, the parties must identify to one another all persons whose testimony they anticipate presenting at trial. No later than _____, each party shall file with the Court their list of witnesses in which they must identify their expert witnesses if any, and the subject of the proposed expert testimony and whether the expert had prepared a written report. No other witness will be permitted to testify, except for rebuttal witnesses.
4. Appearances and Connection to Zoomgov. To appear and be heard on the motion, or to observe this hearing, you must use the link: <https://www.zoomgov.com>, then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is _____ and the password is _____. Interested persons are encouraged to review the *Notice Regarding Court Hearings Conducted Remotely in the Western Division* found on the Court's website for further information and tips about successful participation in this virtual hearing.

5. Sworn Testimony. Witnesses will be sworn and their testimony taken remotely pursuant to Rule 43(a), the Court finding that the current public health emergency constitutes good cause in compelling circumstances for doing so and that the videoconference platform and provisions of this Order provide appropriate safeguards. The testimony of each witness so sworn will have the same effect as if they were testifying in open court.
6. Witnesses. Each witness must testify from a quiet room, situated so that they can be clearly heard and seen on the video feed, and so that they also can clearly hear and see the video proceedings. **No person may be in the same room as the witness** who is testifying without prior leave of court. While testifying, the witness may not communicate or receive information in any fashion, other than by the questioning attorney or the judge, or as otherwise as permitted by the judge. The witness may not have any documents in the room, including on any device, except for the documents or exhibits posted on the video screen by the Court. A recess must be first granted by the Court if the witness and her attorney need to communicate.
7. No Recording. Any electronic, photographic or mechanical recording of these proceedings by any party, witness or observer, by any means, is strictly prohibited. Anyone who violates this provision may be subject to a Rule to Show Cause as to why they should not be held in contempt of court.
8. Courtroom Formalities. This hearing constitutes a judicial proceeding and the formalities of the courtroom will be observed.

Date:

ENTER:

Thomas M. Lynch
United States Bankruptcy Judge