**ONTARIO SUPERIOR COURT OF JUSTICE (CENTRAL WEST REGION)**

**Pre-Trial Judge/ JUSTICE COURT FILE NO.:**

**B E T W E E N**: Click here to enter text.

Plaintiff(s) v. Defendant(s)

COMPANION FILE: Click here to enter text.

(*Please include third party actions*)

**RULE 50.08 PRE-TRIAL CONFERENCE REPORT**

Date of Pre-Trial Conference:

Type of Trial (Jury/Non-Jury/Bilingual):

Type of Case (MVA/Employment/Contract/Construction Lien/etc.):

TRIAL DATE(S): Click here to enter text.

Anticipated length of trial: Click here to enter text.

Counsel for Plaintiff(s):

Counsel for Defendant(s):

Counsel for other Defendant(s): Click here to enter text.

Counsel for other Defendant(s): Click here to enter text.

**CHECKLIST OF ITEMS TO BE CANVASSED PURSUANT TO RULE 50.06:**

5 Possibility of settlement 5 Number of expert witnesses to be called by Plaintiff

* Simplification of the issues 5 Number of lay witnesses to be called by Defendant
* Possibility of obtaining admissions 5 Number of expert witnesses to be called by Defendant
* Liability 5 Advisability of fixing a date for trial
* Amount of damages 5 Advisability of directing a reference

5 Estimated duration of trial 5 Dates for service of any outstanding or supplementary

5 Advisability of having a court appointed expert expert reports

5 Number of expert witnesses to be called by Plaintiff

1. **List of witnesses that may be called and estimated length of time**

Attached: 5 Yes 5 No (if no, why not?) ***If yes – attach “Appendix A - List of Witnesses”***

1. **Have parties, counsel, witnesses and experts confirmed availability for trial?**

5 Yes 5 No (if no, why not?)

**3. Are there any other issues that the trial judge or trial office should be aware of?** *(e.g interpreter,*

*large court room, audiovisual or technical issues, witnesses testifying by videoconference, etc.)*

1. **Steps to be completed before the action is ready for trial and time needed to complete those steps:**

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**Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Signature of Judge/Associate Judge\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**CERTIFICATE**

**I certify that I understand the contents of this report and I acknowledge the obligation to be ready to proceed on the date(s) fixed for the trial.**

**Date:** Click or tap here to enter text. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Date:** Click or tap here to enter text. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Date:** Click or tap here to enter text. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Undertaking to the Court**

**I undertake to advise my client(s) of:**

1. **the contents of the Pre-Trial Conference Report; and**
2. **the obligation to be ready to proceed on the date(s) fixed for the trial.**

**Date:** Click or tap here to enter text. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Date:** Click or tap here to enter text. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Date:** Click or tap here to enter text. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**COURT FILE NO.** Click here to enter text.

**APPENDIX A:**

**List of witnesses that may be called at trial**

|  |  |  |  |
| --- | --- | --- | --- |
| Name of witness | Occupation and city in which  witness resides | Witness to be called by | Estimated length |
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**Time Estimates for Trial**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Opening** | **Closing** | **Jury Address** | **Total** | **Total Time**  **(Include**  **Witnesses)** |
| **Plaintiff** |  |  |  |  |  |
| **Defendant** |  |  |  |  |  |

**APPENDIX B:**

**Orders made at the Pre-Trial**

Each party shall complete the steps set out by Appendix B by the deadline set out therein.

Leave is granted to **bring a motion** for Click or tap here to enter text. Provided it is scheduled no later than Click or tap here to enter text..

Each party is to serve a **request to admit** pursuant to Rule 51.02 setting out the facts and documents they proposed be treated as undisputed by Click or tap here to enter text..

All **outstanding undertakings** are to be answered by Click or tap here to enter text. And any further discovery arising from such an undertaking is to be completed no later than Click or tap here to enter text.. Should any motion be necessary as a result of such follow up discovery, it is to be brought no later than Click or tap here to enter text..

Each party is to serve on the other a signed **witness statement or a summary of the evidence** to be given in respect of each witness to be called at trial, except for experts who have provided reports and these statements are to be exchanged as follows:

Plaintiff: Click or tap here to enter text.

Defendant: Click or tap here to enter text.

Subject to the discretion of the trial Judge, the following time limits will apply to the **examination of the witnesses** to be given at trial or taken in advance of trial:

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The parties shall attend trial with draft jury questions and be prepared to make submissions on which questions need go to a jury and in what form/content.

The **evidence of the following witnesses** is to be given by affidavit and the affidavits are to be served by the dates shown (examination in chief with right to cross-examination subject to the discretion of the trial Judge):

Witness: Click or tap here to enter text. Delivery Date: Click or tap here to enter text.

Witness: Click or tap here to enter text. Delivery Date: Click or tap here to enter text.

Witness: Click or tap here to enter text. Delivery Date: Click or tap here to enter text.

Witness: Click or tap here to enter text. Delivery Date: Click or tap here to enter text.

The parties are directed to require the following **experts** to meet on a without prejudice basis in order to identify the issues on which the experts agree and the issues on which they do not agree, to attempt to clarify and resolve any issues that are the subject of disagreement and to prepare a joint statement setting out the areas of agreement and any areas of disagreement and the reasons for it. The joint statement is to be filed with the court at the opening of the trial.

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Each party is to deliver a concise **summary** of his or her **opening statement** to the other, including time estimates, by Click or tap here to enter text..

Other:

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**Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Signature of Judge/Associate Judge\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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