

# CHAMBERS OF THE HONORABLE KEVIN GROSS

## Chambers Procedures for Honorable Kevin Gross

(Revised January 4, 2011)

### CONTACT INFORMATION

Chambers: The Honorable Kevin Gross  
United States Bankruptcy Court for the District of Delaware  
824 Market Street, 6<sup>th</sup> Floor  
Wilmington, DE 19801

Courtroom: No. 3

Telephone: (302)252-2913

Staff: Ext. 2 - Laura J. Haney, Judicial Assistant (general and order inquiries)  
Ext. 3 - Sherry K. Scaruzzi, Courtroom Deputy (all scheduling inquiries)

E-mail: [DEB\\_Chambers\\_Judge\\_Kevin\\_Gross@deb.uscourts.gov](mailto:DEB_Chambers_Judge_Kevin_Gross@deb.uscourts.gov)

**PLEASE DELIVER BINDERS TO 824 MARKET STREET, 6<sup>TH</sup> FLOOR**

**\* RE: CERTIFICATES OF NO OBJECTION**

**\*\* RE: COURTESY COPIES**

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### ITEMS

General Chambers Procedures

Principles of Professionalism for Delaware Lawyers

Principles of Professionalism for Delaware Judges

Scheduling Order (Preference Cases)

Scheduling Order (All Other Matters)

Proposed Final Pretrial Order (Non-Preference Cases)

Trial Procedures (All Cases and Contested Matters)

General Order re Pretrial Procedures in Preference Cases

- \* **CNO's and proposed orders may be submitted 48 hours after the response deadline. CNO's and proposed orders submitted within two days of a hearing should be included in the CNO hearing binder and so noted on the agenda.**
  - \*\* **Please do not provide courtesy copies of documents unless requested by Judge Gross.**
1. Please refer to the General Chambers Procedures which are applicable to all Judges.
  2. Chambers will make every effort to respond to telephonic inquiries and requests within 24 hours. If Chambers does not respond within a reasonable time, a second inquiry or request is welcome.
  3. The Court schedules hearings for one hour. You must notify the Court as soon as you know that a hearing will require more time.
  4. Parties are invited to inquire, after a reasonable time under the circumstances of the matter at issue, into the status of matters pending decision or taken under advisement by e-mail to Chambers at:

[DEB Chambers Judge Kevin Gross@deb.uscourts.gov](mailto:DEB_Chambers_Judge_Kevin_Gross@deb.uscourts.gov)

In the body of the e-mail, reference should be made to the matter pending decision and the date such matter was taken under advisement. Parties should state in the "subject" of the e-mail the case name and number and "Request for Ruling Status." Please copy other interested parties.

5. The Court demands of itself and the lawyers who appear before it courteous and professional conduct. See Principles of Professionalism for Delaware Lawyers; and Principles of Professionalism for Delaware Judges.

#### **PRETRIAL AND TRIAL PROCEDURES IN NON-PREFERENCE ADVERSARY PROCEEDINGS AND CONTESTED MATTERS**

In addition to the provisions of the General Chambers Procedures applicable to adversary procedures, please review the forms for Scheduling Order, Scheduling Order (All Other Matters), Final Pretrial Order and Trial Procedures.

#### **PRETRIAL AND TRIAL PROCEDURES IN PREFERENCE CASES**

The procedures for preference cases are contained in the General Order, dated November 16, 2009. The goal is to maintain consistency among the judges of the Court and therefore the Order is virtually identical to the Orders entered by Judge Carey and Judge Sontchi.

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE**

**GENERAL ORDER**

**RE: PRE-TRIAL PROCEDURES IN PREFERENCE CASES  
SET FOR TRIAL BEFORE JUDGE KEVIN GROSS**

1. The Court enters this order in an effort to expedite trial of this matter.
2. The parties shall file, no later than two (2) business days prior to the earlier of the date set for (i) pre-trial conference (if one is scheduled) or (ii) trial, their Joint Pretrial Order, approved by all counsel and by all unrepresented parties, and shall contemporaneously deliver two (2) copies thereof to Judge Gross' Chambers.
3. Counsel for plaintiff shall be responsible for initiation of the preparation of the Joint Pretrial Order and for the assembly and timely filing and submission of the same to the court. At the very least, counsel for plaintiff shall submit a proposed draft to counsel for all other parties and to all unrepresented parties no less than seven (7) days prior to the deadline for its filing and submission.
4. All counsel and all unrepresented parties are expected to make a diligent effort to ensure that the Joint Pretrial Order is complete in all respects, and that all unresolved issues are fully, completely and adequately disclosed therein.
5. The Joint Pretrial Order in the form found on this shall govern the conduct of the trial and shall supersede all prior pleadings in the case. Amendments subsequent to its filing and submission shall be permitted only in exceptional circumstances and to prevent manifest injustice.
6. The Joint Pre-Trial Memorandum shall contain the following as to each party:
  - (A) Basis of jurisdiction. (including a statement whether this matter is core or noncore). If the matter is noncore, the parties shall state whether they consent to the court's entry of a final order pursuant to 28 U.S.C. § 157(c)(2). If the parties disagree, they shall each cite to relevant authority to support their positions.
  - (B) Statement of uncontested facts.
  - (C) Statement of facts which are in dispute. No facts should be disputed unless opposing counsel expects to present contrary evidence on the point of trial, or genuinely challenges the fact on credibility grounds.
  - (D) Damages or other relief. A statement of damages claimed or relief sought. A party seeking damages shall list each item claimed under a separate descriptive heading, shall provide a detailed description of each item and state the amount of damages claimed. A party seeking relief other than damages shall list the exact form of relief sought with precise designations of persons, parties, places and things expected to be included in any order providing relief.

- (E) Legal issues presented and the constitutional, statutory, regulatory and decisional authorities relied upon. (Counsel should include a brief statement regarding which party has the burden of proof on each legal issue).
- (F) Witnesses listed in the order they will be called along with a brief statement of the evidence the witness will give. Witnesses shall be classified between those who any party expects to present and those whom any party may call if the need arises. If not already provided to all parties, the address and telephone number of each witness shall be disclosed.
- (G) A list of all exhibits to be offered into evidence which shall be serially numbered and physically marked before trial in accordance with the schedule. Documents which a party may offer if the need arises shall be separately identified.
- (H) A list of each discovery item and trial deposition to be offered into evidence. (Counsel shall designate by page portion of deposition testimony and by number the interrogatories which shall be offered in evidence at trial).
- (I) An estimate of the length of trial.

7. Each party shall bring to trial sufficient copies of all pre-marked exhibits assembled in binders and appropriately tabbed or otherwise identified, so that the Court, the clerk, the witness and all counsel will have a copy.

8. Any party may, but is not required to, file a trial brief, no less than two (2) business days prior to trial. If filed, two (2) courtesy copies of each such brief shall be delivered to Chambers contemporaneously with its filing. No trial brief shall be more than 25 double-spaced pages in length without the Court's permission.

9. Failure to strictly comply with all of the provisions of this order may result in the imposition of sanctions, the entry of a dismissal or a default as the circumstances warrant, in accordance with Fed. R. Civ. P. 16, made applicable to this proceeding by Fed. R. Bankr. P. 7016.

At Wilmington, Delaware this 16<sup>th</sup> day of November, 2009.

/s/ Kevin Gross  
**KEVIN GROSS, U.S.B.J.**

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE**

Chambers of  
KEVIN GROSS

824 Market Street, 6<sup>th</sup> Floor  
Wilmington, DE 19801  
(302)252-2913

**TRIAL PROCEDURES**

**Exhibits:**

Counsel should have all exhibits marked before trial and two (2) days before trial, should deliver to the Courtroom Deputy a completed exhibit list for each party and two (2) sets of binders containing the exhibits.

**Use of Lectern:**

Counsel should conduct examination of witnesses from the lectern.

**Examination of Witnesses:**

Expect that examination of witnesses shall be limited to direct, cross examination, and re-direct.

**Approaching the Witness:**

Before approaching a witness, counsel should first ask the Court's permission. If leave is requested and granted to freely approach a witness, counsel does not seek further permission with respect to that witness.

**Argument:**

In all proceedings before the Court, counsel should direct arguments to the Court and not to opposing counsel.

**Trial Schedule:**

If possible, we will try to hold to the following trial schedule:

On the first day of trial, testimony will begin at 9:30 a.m., and on succeeding days, testimony will begin at 9:00 a.m.

There will be a brief mid-morning break, a one-hour lunch break, an afternoon break, and the trial day will conclude at 5:00 p.m. No one should be reluctant or embarrassed to request additional breaks.

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

**[CAPTION]**

**PROPOSED FINAL PRETRIAL ORDER**

This matter comes before the Court at a final pretrial conference held pursuant to Rule 7016 of the Federal Bankruptcy Rules.

**Plaintiff(s) Counsel:**

**Defendant(s) Counsel:**

**I. State the Nature of the Case**

(The parties should prepare a brief statement of the nature of the case including the claims of the parties.)

**II. Jurisdiction**

A. This is an action for:

(State the remedy sought, such as damages, injunctive or declaratory relief.)

B. The jurisdiction of the Court is not disputed (or, if the issue has not previously been raised, the basis on which jurisdiction is contested). If not disputed, state the statutory or other basis of jurisdiction.

C. This is a core/non-core proceeding if the matter is non-core, the parties shall state whether they consent to the court's entry of a final order pursuant to 28 U.S.C. § 157(c)(2). If the parties disagree, they shall each cite to relevant authority to support their positions..

(Describe the basis for this assertion.)

**III. Statement of Facts Which Are Admitted and Require No Proof**

A. The following facts are not disputed or have been agreed to or stipulated by the parties:

(This section should contain a comprehensive statement of the facts which will become a part of the evidentiary record in the case.)

**IV. Statement of Facts Which Are in Dispute**

A. No facts should be disputed unless opposing counsel expects to present contrary evidence on the point of trial, or genuinely challenges the fact on credibility grounds.

**V. Agreed to Issues of Law**

A. The parties agree that the following are the issues to be decided by the Court:

**VI. Witnesses (Including those who will testify by deposition.)**

A. List of names and addresses of witnesses in the order the plaintiff expects to call them, including experts:

1. Expert witnesses and their areas of expertise.
2. Non-expert witnesses.

B. List of witnesses in the order defendant expects to call them, including experts:

1. Expert witnesses and their areas of expertise.
2. Non-expert witnesses.

C. If there are any third parties to the action, they should include an identical list of witnesses as that contained in Parts A and B above.

D. Identify any witnesses for whom there is an objection.

E. The parties' lists of pages of deposition testimony that they intend to offer at trial is attached as Exhibit \_\_\_\_\_. The objections and counter-designations to the deposition designations, together with reply designations and objections to counter-designations, are attached as Exhibit(s) \_\_\_\_\_.

F. Rebuttal Witnesses. Each of the parties may call such rebuttal witnesses as may be necessary, without prior notice thereof to the other party.

## **VII. Exhibits**

A. A list of pre-marked exhibits, including designations of interrogatories and answers thereto, request for admissions and responses, which each party intends to offer at the trial with a specification of those which will be admitted in evidence without objection, those that will be objected to and the Federal Rule of Evidence in support of said objection and the Federal Rule of Evidence relied upon by the proponent of the exhibit.

B. Any exhibit identified in any party's exhibit list and not objected to in the list of objections attached is deemed to be admissible and may be entered into evidence by the party listing it.

## **VIII. Statement of Plaintiff's Intended Proofs.**

A. States what the plaintiff intends to prove in support of its claim.

## **IX. Statement of Defendants' Intended Proofs.**

A. States what the defendants intend to prove in support of their defenses.

## **X. Statement by Counterclaimants or Cross-Claimants.**

If applicable.

## **XI. Amendments to Pleadings Desired by Any Party.**

**XII. Certification of Attempted Resolution of the Controversy**

A. The parties certify that two-way communication has occurred between persons having authority in a good faith effort to explore the resolution of this controversy by settlement. No agreement has been reached.

**XIII. Other Matters.****XIV. Damages**

A. A statement of damages claimed or relief sought. A party seeking damages shall list each item claimed under a separate descriptive heading, shall provide a detailed description of each item and state the amount of damages claimed. A party seeking relief other than damages shall list the exact form of relief sought with precise designations of persons, parties, places and things expected to be included in any order providing relief.

**XV. Motions *in Limine* and Trial Briefs**

A. Motions *in limine* shall not be separately filed. Any *in limine* requests shall be set forth, with citation to authorities and brief argument, in the proposed pretrial order. Each party shall be limited to five *in limine* requests, unless otherwise permitted by the Court. Briefing shall not be submitted on *in limine* requests, unless otherwise permitted by the Court.

B. Any party may, but is not required to, file a trial brief, no less than two (2) business days prior to trial. If filed, two (2) courtesy copies of each such brief shall be delivered to Chambers contemporaneously with its filing. No trial brief shall be more than 25 double-spaced pages in length, without leave of the Court.

**XVI. Limitations, Reservations and Other Matters**

A. Length of Trial. The probable length of trial is \_\_\_\_\_ days.

IT IS ORDERED that this Final Pretrial Order shall control the subsequent course of the action unless modified at the trial of the action, or prior thereto, to prevent manifest injustice or for good cause shown. Such modification may be made either on application of counsel for the parties or by the Court.

DATED: \_\_\_\_\_

\_\_\_\_\_  
KEVIN GROSS, U.S.B.J.

APPROVED AS TO FORM AND SUBSTANCE:

\_\_\_\_\_  
ATTORNEY FOR PLAINTIFF(S)

\_\_\_\_\_  
ATTORNEY FOR DEFENDANT(S)

NOTE: Where a third-party defendant is joined pursuant to Bankruptcy Rule 14(a), the pretrial order may be suitably modified. The initial page may be modified to reflect the joinder. List attorney's name, address, and telephone number.

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	Chapter
	)	
	)	
Debtor(s).	)	Case No. _____(____)
	)	
	)	
Plaintiff,	)	Adv. Proc. No. _____(KG)
v.	)	
	)	
Defendant(s).	)	
	)	

**SCHEDULING ORDER**

To promote the efficient and expeditious disposition of adversary proceedings, the following schedule shall apply to each of the above-captioned adversary proceedings.

**IT IS HEREBY ORDERED** that:

1. Any extension of time to file a responsive pleading is not effective unless approved by Order of the Court. Any motion for extension of time to file a responsive pleading or stipulated order for such an extension must be filed with the Court no later than ten (10) days before the Initial Scheduling Conference in the adversary proceeding.

2. The discovery planning conference described in Fed. R. Civ. P. 26(f), made applicable by Fed. R. Bankr. P. 7026, shall take place no later than thirty (30) days after the first answer or other responsive pleading is filed, or sixty (60) days after the adversary proceeding is commenced, whichever is earlier.



3. The parties shall provide the initial disclosures under Fed. R. Civ. P. 26 (a)(1) no later than fourteen (14) days after the discovery planning conference. Any extension of the deadline to provide initial disclosures must be by Order of the Court and will only be granted for good cause shown.

4. All fact discovery shall be completed no later than \_\_\_\_\_, 20\_\_ [a date no later than 120 days after the first answer or other responsive pleading is filed].

5. The parties shall provide expert reports for an issue on which they bear the burden of proof, not including any report by Plaintiff on insolvency of the Debtor, by \_\_\_\_\_, 20\_\_ [a date no later than one hundred forty (140) days after an answer or other responsive pleading to the complaint is filed]. If the Defendant intends to provide expert testimony regarding the insolvency of the Debtors, any such expert report must be provided by [a date no later than one hundred forty (140) days after an answer or other responsive pleading to the complaint is filed]. Any expert report by Plaintiff on the insolvency of the Debtors, as well as any Parties' expert report intended to rebut any other expert report, shall be provided by \_\_\_\_\_, 20\_\_ [a date no later than one hundred sixty (160) days after an answer or other responsive pleading to the complaint is filed]. Defendant shall provide any expert report intended to rebut any report on insolvency by Plaintiff by \_\_\_\_\_, 20\_\_ [a date no later than one hundred seventy (170) days after an answer or other responsive pleading to the complaint is filed]. All reports shall provide the information required by Fed.R.Civ.P.26(a)(2)(B). All expert discovery shall be completed, and discovery shall close, by \_\_\_\_\_, 20\_\_ [a date no later than one hundred eighty (180) days after the first answer or other responsive pleading is filed].

6. Pursuant to the General Order Regarding Procedures in Adversary Proceedings entered by the Honorable Mary F. Walrath on April 7, 2004, no later than [one hundred twenty (120) days after the answer or other responsive pleading to the complaint is filed, the parties shall file a Stipulation Regarding Appointment of a Mediator or a statement that the parties cannot agree on a mediator and a request that the Court select and appoint a mediator to the proceeding.

7. Within sixty (60) days after the entry of an Order Assigning the Adversary Proceeding to Mediation, the mediator shall either (a) file the mediator's certificate of completion, or, (b) if the mediation is not concluded, file a status report that provides the projected schedule for completion of the mediation.

8. All dispositive motions shall be filed and served by \_\_\_\_\_, 20\_\_ [a date no later than fifteen (15) days after the close of all discovery] and shall be subject to Del. Bankr. L.R. 7007.

9. The parties shall comply with the General Order Governing Pre-Trial Procedures in Adversary Proceedings Set for Trial Before Judge Kevin Gross. The parties shall file, no later than two (2) business days prior to the earlier of date set for (i) pre-trial conference (if one is scheduled) or (ii) trial, their Final Pretrial Order approved by all counsel and shall contemporaneously deliver two (2) copies thereof to Judge Gross' chambers.

10. The Order Assigning the Adversary Proceeding to Mediation shall set the adversary proceeding for trial ninety (90) days after the entry of the Order, or as soon thereafter as the Court's calendar permits. The Court may, in its discretion, schedule a pre-trial conference in lieu of or in addition to the trial.

11. The Plaintiff shall immediately notify Chambers upon the settlement, dismissal or other resolution of any adversary proceeding subject to this Order and shall file with the Court appropriate evidence of such resolution as soon thereafter as is feasible. The Plaintiff shall file a status report forty-five (45) days after the date of this scheduling order, each forty-five (45) days thereafter, and thirty (30), twenty (20), and ten (10) days prior to trial, setting out the status of each unresolved adversary proceeding subject to this Order. Plaintiff shall immediately advise Chambers, in writing, of any occurrence or circumstance which Plaintiff believes may suggest or necessitate the adjournment or other modification of the trial setting.

12. Deadlines contained in this Scheduling Order may be extended only by the Court and only upon written motion for good cause shown.

13. The Plaintiff shall serve this Scheduling Order on each Defendant within five (5) business days after the entry of this Order.

Dated: \_\_\_\_\_, 20\_\_\_\_  
Wilmington, DE

\_\_\_\_\_  
KEVIN GROSS, U.S.B.J.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re ) Chapter
)
) Case No. \_\_\_\_\_(KG)
) Debtor. )
)
\_\_\_\_\_ )

SCHEDULING ORDER \*

The Court having conducted an initial Rule 16 scheduling and planning conference pursuant to District Court Local Rule 16.2(a) on \_\_\_\_\_, 20\_\_, and the parties having determined after discussion that the matter cannot be resolved at this juncture by settlement, voluntary mediation, or binding arbitration;

IT IS ORDERED that:

- 1. Rule 7026(a)(1) Initial Disclosures.

Unless otherwise agreed to by the parties, the parties shall make their initial disclosures pursuant to Bankruptcy Rule 7026(a)(1) within five days of the date of this Order.

- 2. Joinder of other Parties and Amendment of Pleadings. All motions to join other parties, and to amend or supplement the pleadings shall be filed on or before \_\_\_\_\_, 20\_\_.

- 3. Discovery.

a. Discovery Cut-Off. All discovery in this case shall be initiated so that it will be completed on or before \_\_\_\_\_, 20\_\_. The Court encourages the parties to serve and respond to contention interrogatories early in the case. Unless otherwise ordered by the Court, the limitations on discovery set forth in District Court Local Rule 26.1 shall be strictly observed.

\_\_\_\_\_

\* This Order is not applicable to preference cases. See the Court's separate procedures.



b. Disclosure of Expert Testimony. Unless otherwise ordered or agreed to by the parties, they shall file their initial Bankruptcy Rule 7026(a)(2) disclosures of expert testimony on or before ninety days before the date of the completion of discovery; and they shall file a supplemental disclosure to contradict or rebut evidence on the same subject matter identified by another party sixty days before the date for the completion of discovery. To the extent any objection to expert testimony is made pursuant to the principals announced in *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993), it shall be made by motion no later than the deadline for dispositive motions set forth herein, unless otherwise ordered by the Court.

c. Discovery Disputes. Del. Bankr.L.R. 9013-1(b) notwithstanding, please do not file discovery motions unless the Court requests briefing. Should counsel find they are unable to resolve a discovery dispute, the party seeking the relief shall contact chambers at **(302)252-2913, extension 3** to schedule a telephone conference. Not less than forty-eight hours prior to the conference, the party seeking relief shall file with the Court a statement, not to exceed three pages, outlining the issues in dispute and its position on those issues. (The Court does not seek extensive argument or authorities at this point; it seeks simply a statement of the issue to be addressed and/or summary of the basis for the party's position on the issue.) Not less than twenty-four hours prior to the conference, any party opposing the application for relief may file a statement, not to exceed three pages, outlining that party's reason for its opposition. Should the Court find itself unable to resolve the disputes in the telephone conference, the Court will order motion and briefing practice. Disputes over protective orders are to be addressed in the first instance in accordance with this paragraph. The Court will accept and encourages telephone calls during depositions in an attempt to resolve disputes arising in the course of the deposition without delay or the need for extensive briefing.

4. Application to Court for Protective Order. In the event it is necessary to apply to the Court for a protective order specifying terms and conditions for the disclosure of confidential information, counsel should confer and attempt to reach an agreement on a proposed form of order and submit it to the Court within ten days from the date of this Order. If counsel is unable to reach an agreement on a proposed form of order, the counsel must first follow the provisions of Paragraph 3c above.

Any proposed order should include the following paragraph:

Other Proceedings. By entering this order and limiting the disclosure of information in this case, the Court does not intend to preclude another court from finding that information may be relevant and subject to disclosure in another case. Any person or party subject to this order who becomes subject to a motion to disclose another party's information designated "confidential" pursuant to this order shall promptly notify that party of the motion so that the party may have an opportunity to appear and be heard on whether that information should be disclosed.

5. Papers Filed Under Seal. When filing papers under seal, counsel should deliver to Chambers an original and one copy of the papers.

6. Interim Status Report. On or before \_\_\_\_\_, 20\_\_\_\_, counsel shall file with the Court an interim report on the nature of the matters in issue and the progress of discovery to date.

7. Status Conference. On \_\_\_\_\_, 20\_\_\_\_, the Court will hold a Rule 16(a), (b) and (c) Conference by telephone with counsel beginning at \_\_\_\_\_.m. Plaintiff's counsel shall initiate the telephone call. If all parties agree that there is nothing to report, nor anything to add to the interim status report to this order, they may so notify the Court in writing before the conference is scheduled to occur, and the conference will be taken off of the Court's calendar.

8. Case Dispositive Motions. All case dispositive motions, an opening brief, and affidavits, if any, in support of the motion shall be served and filed on or before \_\_\_\_\_, 20\_\_.

Briefing will be presented pursuant to Del. Bankr.L.R. 7007-1.

9. Applications by Motion. Except as otherwise specified herein, any application to the Court shall be by written motion filed with the Clerk. Any non-dispositive motion should contain the statement required by District Court Local Rule 7.1.1.

10. Pretrial Conference. On \_\_\_\_\_, 20\_\_, the Court will hold a Final Pretrial Conference in Chambers with counsel beginning at \_\_\_\_m. Unless otherwise ordered by the Court, the parties should assume that filing the pretrial order satisfies the pretrial disclosure requirement of Bankruptcy Rule 7026(a)(3). The parties shall file with the Court the joint proposed final pretrial order with the information required by the form of Final Pretrial Order \_\_\_\_\_, 20\_\_ [The form is available on this site.

11. Motions *in Limine*. No separate briefing shall be submitted on *in limine* requests, unless otherwise permitted by the Court. All *in limine* requests and responses thereto shall be set forth in the proposed pretrial order. Each party shall be limited to five *in limine* requests, unless otherwise permitted by the Court. The *in limine* request and any response shall contain the authorities relied upon; each *in limine* request may be supported by a maximum of five pages of facts and argument. If more than one party is supporting or opposing an *in limine* request, such support or opposition shall be combined in a single five (5) page submission, unless otherwise ordered by the Court.

12. Pre-Trial Briefs. Parties may or shall if the Court requests, file a pre-trial brief. In order to preclude an advantage to a party, the parties should submit and exchange briefs at the pre-trial conference.

13. Trial. This matter is scheduled for a \_\_\_ day trial beginning at \_\_\_\_\_ .m. on \_\_\_\_\_, 20\_\_\_\_.

Dated: \_\_\_\_\_, 20\_\_\_\_.

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KEVIN GROSS  
UNITED STATES BANKRUPTCY JUDGE