UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

GREGORY AND JILL RATZ,

Debtor(s).

ORDER FOR TRIAL

BKY 03-61308

Jerry Michaelson and
Gregg Sonstegard,

Plaintiff(s),

ADV 04-6025

vs.

Gregory and Jill Ratz,

Defendant(s).

IT IS ORDERED:

1. This proceeding is set for trial in Courtroom No. 2, 205 United States Courthouse, 118 South Mill Street, Fergus Falls, Minnesota, on **November 17, 2004, at 10:00 a.m.**

2. On or before November 8, 2004, all parties are expected to confer and enter into stipulations as to the following:

a) Waiver of objections to the admissibility of exhibits on the grounds of lack of identification or foundation is not to be contested;

b) Waiver of objections to the admissibility of depositions proposed to be offered in evidence, if any.

c) Facts which are not disputed. This stipulation shall be reduced to writing in a form which can be adopted by the Court as Findings of Fact.

At this conference, counsel shall provide copies of each exhibit for inspection by opposing counsel and for waiver of noting of objection.

3. No later than five (5) days prior to trial, the parties shall prepare, serve and file an original and three copies of the following:

a) The stipulations regarding admissibility of exhibits and depositions;

b) The stipulation of facts which are not disputed.

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c) A final witness list containing the names, addresses and brief summary of the testimony of each witness the party will call. A person not listed on this list may not testify during the party's case-in-chief;

d) A final exhibit list containing a description of all exhibits to be offered at trial. Exhibits not listed on this list may not be offered during the party's case-in-chief. Each exhibit shall be marked and the list shall identify the exhibits by their letters of numbers.

The plaintiff shall identify the plaintiff's exhibits with numbers as follows:

Plaintiff's Exhibit 1
Plaintiff's Exhibit 2
etc.

The defendant shall identify the defendant's exhibits with letters as follows:

Defendant's Exhibit A
Defendant's Exhibit B
etc.

If there is more than one plaintiff or defendant, then the parties shall confer so as to avoid duplication of exhibit identification;

e) A list of depositions to be offered at trial;

f) A trial memorandum containing a complete chronology of the party's version of the facts and a complete statement of the law on which the party relies.

g) Proposed Findings of Fact and Conclusions of Law.

4. At the time that an exhibit is offered at trial, the ORIGINAL plus THREE COPIES of the pre-marked exhibits shall be provided to the Court, with a copy being made available to the court recorder operator for the use of the court.

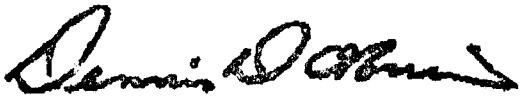
5. Upon settlement, each party has an independent obligation and shall notify the calendar clerk, within 24 hours after a settlement agreement has been reached. Unless the Court orders otherwise, <u>the settlement documents shall be filed within ten (10) days after oral notice of the settlement</u>.

6. Failure to timely comply with this order may result in the imposition of sanctions under Bankruptcy Rule 7016 and Fed.

R. Civ. P. 16(f).

Fed. R. Civ.P.26(a)(1), (a)(2), (a)(3) and (f) do not apply in this proceeding.

Dated: September 7, 2004.



Dennis D. O'Brien
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

I, Delores Campbell, hereby certify:

That I am the Deputy in Charge of the United States Bankruptcy Court for the Sixth Division of the District of Minnesota at Fergus Falls, and that on 9/7/04, true and correct copies of the annexed:

X

ORDER FOR TRIAL

were placed by me in individual envelopes; that said envelopes were addressed individually to each of the person(s), corporations, and firms at their last known addresses, were sealed and on the day aforesaid were placed in the United States mails at Fergus Falls, Minnesota, to:

SEE ATTACHED LIST

and this certificate was made by me.

Delores Campbell

Delores Campbell
Deputy Clerk

Filed: 9/7/04
PATRICK G. DE WANE, Clerk
By: dc Deputy Clerk

Case: 04-06025 Form id: 122 Ntc Date: 09/07/2004 Off: 6 Page : 1
Total notices mailed: 2

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