

**IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA**

**WCC No. 20**

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**Petitioner**

**vs.**

**Respondent/Insurer.**

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**PRETRIAL ORDER**

¶ 1 Pursuant to Rule 24.5.318 of the Rules of the Workers' Compensation Court, a Pretrial Conference was held in the above-entitled matter on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before Pretrial Hearing Examiner \_\_\_\_\_. \_\_\_\_\_ appeared as counsel for Petitioner \_\_\_\_\_. \_\_\_\_\_ appeared as counsel for Respondent \_\_\_\_\_.

¶ 2 Statement of Jurisdiction: The Workers' Compensation Court has jurisdiction in the above-entitled matter pursuant to § 39-71-2905, MCA.

¶ 3 Motions: [State either that no motions have been filed at this time or describe any motions which are pending. See Court Rule 24.5.316 Motions and review the Scheduling Order deadlines.]

¶ 4 Statement of Uncontested Facts: The uncontested facts are as follows:

¶ 4a That on \_\_\_\_\_, Petitioner suffered an industrial injury [or occupational disease] arising from her/his employment with \_\_\_\_\_ of \_\_\_\_\_, Montana.

¶ 4b At the time of the injury [or occupational disease], \_\_\_\_\_ [employer] was enrolled under Compensation Plan No. \_\_ (1, 2, or 3) of the Workers' Compensation Act and was insured by the \_\_\_\_\_.

¶ 4c The parties have exchanged all available medical records relating to the injury and will continue to do so.

¶ 4d The mediation procedure has been satisfied.

¶ 5 Stipulations:

¶ 6 Issues to be Determined by the Court:

¶ 6a

¶ 7 Contested Issues of Fact:

¶ 7a Petitioner's Contentions:

¶ 7ai [Include all contentions which provide the basis for any claim of unreasonableness on the part of the insurer.]

¶ 7b Respondent's Contentions:

¶ 7bi

¶ 8 Exhibits: See attached Exhibit Sheet with any objections stated.

¶ 9 Witnesses:

¶ 9a Petitioner's Witnesses:

NAME/ADDRESS/OCCUPATION

SUBJECT MATTER OF TESTIMONY

a. \_\_\_\_\_

Petitioner will testify as to \_\_\_\_\_.

b. \_\_\_\_\_

Respondent's insurance adjuster will testify as to \_\_\_\_\_.

c. All witnesses identified by Respondent are incorporated by reference herein.

d. All witnesses divulged during discovery.

e. All necessary rebuttal and/or impeachment witnesses.

¶ 9b Respondent's Witnesses:

NAME/ADDRESS/OCCUPATION

SUBJECT MATTER OF TESTIMONY

a. \_\_\_\_\_

All facts relevant to Petitioner's claim.

b. \_\_\_\_\_

Adjustment and handling of the claim.

c. \_\_\_\_\_

Petitioner's alleged injury.

d. All witnesses identified by Petitioner are incorporated by reference herein.

- e. All witnesses divulged during discovery.
- f. All necessary rebuttal and/or impeachment witnesses.

¶ 10 Unusual Legal or Evidentiary Issues:

¶ 11 Length of Trial: The parties estimate the length of trial will be \_\_\_ day(s).

¶ 12 Intent to File Trial Briefs and/or Proposed Findings of Fact and Conclusions of Law:

¶ 13 Depositions:

¶ 14 Trial Date: Trial will commence on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, at 8:30 o'clock a.m., at the \_\_\_\_\_, in \_\_\_\_\_, Montana.

¶ 15 IT IS ORDERED that this Pretrial Order shall supersede all other pleadings and govern the course of the trial of this cause unless modified by the Court to prevent manifest injustice.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

(SEAL)

\_\_\_\_\_  
JUDGE

APPROVED AS TO FORM AND CONTENT:

\_\_\_\_\_  
Attorney for Petitioner

\_\_\_\_\_  
Attorney for Respondent

