

NOTICE OF PRETRIAL CONFERENCE	DOCKET NUMBER 1143CV000293	Trial Court of Massachusetts District Court Department Civil Session	
CASE NAME Brian Johnson v. Peter Frei			
ATTORNEY (OR PRO SE PARTY) TO WHOM THIS COPY OF NOTICE IS ISSUED Henry Leo Rigali Esq. 78 Maple Street Springfield, MA 01105-1813		COURT NAME & ADDRESS Palmer District Court 235 Sykes Street - Suite 3 Palmer, MA 01069	
NEXT COURT EVENT DATE & TIME 04/26/2012 at 2:00 PM		JUDGE OR MAGISTRATE (if already assigned)	
COURT SESSION Civil Session		COURT CONTACT PERSON Linda	
^^^ COUNSEL FOR ALL PARTIES (OR PRO SE PARTY) ^^ MUST APPEAR ON THE DATE & TIME SHOWN ABOVE		COURT CONTACT PERSON PHONE NUMBER 413-283-8916	

A pretrial/conciliation conference will be held at this court on the above date and time. Pursuant to Mass. R. Civ. P. 16, the parties are **ORDERED** as follows:

1. **Settlement.** Plaintiff counsel shall contact opposing counsel to discuss settlement in advance of the conference. Defense counsel shall, after conferring with the defendant(s), respond to any settlement demand made by the plaintiff(s). Counsel for each party shall discuss with their client(s) the estimated costs of further litigation through trial, and shall certify in the pretrial memorandum that such discussion has occurred.
2. **Memorandum.** At least three weeks before the conference, plaintiff counsel shall prepare and serve a draft joint pretrial memorandum to opposing counsel, consisting of **no more than 5 pages**, setting forth: (A) a concise summary of the claim and defenses; (B) a list of witnesses, including experts, and a concise summary of the testimony anticipated from each witness; (C) facts established by pleadings, stipulation or admission; (D) an itemized list of special damages, if any; (E) the estimated length of trial; (F) certification by each counsel that their client(s) have been apprised of estimated litigation costs. At least two weeks before the conference, defense counsel shall prepare and serve any revisions to such memorandum. Counsel for all parties shall thereafter confer and, at least one week before the conference, file a joint pretrial memorandum with the court.
3. **Authority.** Counsel are expected to have full authority to settle and file stipulations of dismissal or agreements for judgment at the pretrial conference. All parties shall be available for telephone consultation by counsel during the pretrial conference.
4. **Continuances.** Request for continuances of the pretrial conference shall be made in writing and addressed to the attention of the judge named below. Requests shall specify the next pretrial conference dates that all counsel are available.
5. **Trial Date.** A firm trial date will be set by the Court and counsel if the case does not settle at the pretrial conference.
6. **Sanctions.** Failure to comply with this order, or failure to appear at the pretrial conference, may result in sanctions including but not limited to assessment of costs, entry of default or dismissal.
7. **Liaison.** Please call the court contact person listed above with any questions or to report settlement in advance of the pretrial conference..
8. **Further Orders of the Court.**

DATE ISSUED January 18, 2012	FIRST JUSTICE Hon. Patricia T Poehler	CLERK-MAGISTRATE Brian M St. Onge
--	---	---