

Proposed Standing Order 2-16
Pre-Trial Requests for Findings of Fact and Rulings of Law

1. At the pre-trial conference held in accordance with Standing Order 1-04, the Court may require that requests for findings of fact and requests for rulings of law be presented in accordance with the following procedure:
 - a. Requests shall be presented in numbered paragraphs; and
 - b. Prior to submission to the court, requests are to be exchanged electronically by the parties, with the opposing party to indicate “disputed” or “undisputed” with respect to each paragraph, and to further indicate the case or statute that forms the basis for any disputed ruling and the evidentiary basis for any proposed fact marked “disputed”, including testimony or exhibit expected to establish a contrary finding.
2. Proposed findings of fact marked as “undisputed” shall be treated at trial as stipulated facts as to which no further evidence need be offered. The evidence at trial will be limited to those factual matters disclosed in the parties’ requests for findings of fact and marked as “disputed”, subject to the court’s discretion to allow additional evidence upon an adequate showing (as, for instance, in the case of rebuttal testimony), and provided that the court, in making its findings, shall not be bound to accept stipulated facts or proposed findings of fact that are undisputed, if the court finds that such stipulated facts or proposed findings do not conform to the evidence at trial.
3. At the conclusion of the presentation of evidence the parties shall be given a period of time, determined by the court, to present revised requests for findings to conform to the evidence presented at trial.