

**RULE NCV-212. TRIAL SCHEDULING AND PRE-TRIAL CONFERENCE**

- A. When the pleadings are closed, any party whose depositions and discovery proceedings have been completed may place the case on the trial list through the filing of a praecipe with the Prothonotary, who shall forward a copy of same to the Court Administrator. The party placing the action on the trial list shall immediately notify all other parties. Failure to give such notice shall be grounds for striking the action from the trial list at the request of any party who was not given notice.
- B. Pre-Trial Conference:
1. The Court Administrator shall schedule a pre-trial conference.
  2. Each party shall submit, five (5) days prior to the conference, two (2) copies of the pre-trial memorandum, which shall be substantially in the form set forth below.
  3. The pre-trial conference shall be attended by the attorney who will try the case or by an attorney who is fully prepared and authorized as to all matters which may arise during the conference.
  4. At the pre-trial conference counsel shall be prepared to discuss all phases of their case and shall bring to the attention of the Court any special substantive or evidentiary questions of law which may reasonably be anticipated to arise during trial.
  5. Counsel shall be prepared to stipulate to all matters of common agreement to the end of avoiding the necessity of formally proving matters not in dispute.
  6. Counsel shall be prepared to discuss the possibility of settlement and shall make a good-faith effort to explore such possibility.
  7. The Court, either during or following the pre-trial conference, may make such order or as deemed necessary, reciting the action taken, including: stipulations and other agreements of counsel; deadlines for expert reports and dispositive motions. Such order, when entered, shall control the subsequent course of the action unless modified to prevent manifest injustice.

8. If a party or his counsel fails to attend the pre-trial conference or to submit the required memorandum, or fails to comply with any pre-trial order or stipulation, the Court may, on the motion of opposing counsel, or on its own motion, impose such penalty or sanction as it deems appropriate under the circumstances.
9. Where a continuance is allowed after pre-trial conference, the case will be rescheduled for trial. A subsequent conference will be held only upon request of counsel or direction by the Court. At any such subsequent conference, the pre-trial memorandum previously submitted shall be updated if appropriate, but otherwise need not be resubmitted.