

BEFORE THE WORKER'S COMPENSATION BOARD OF INDIANA

Application No.: _____

_____, Plaintiff _____, Defendant.

Pre-Trial Date: _____

PRE-TRIAL ORDER (Rev. 1-4-18 DWM/mmh)

Come now the parties, by counsel and/or in person, and agree that this cause should be set for pre-trial/hearing (circle one) on or about _____. If "pre-trial" is circled, indicate why you feel this case requires another pre-trial. If your case has been pending before the Worker's Compensation Board longer than two (2) years and you are requesting a pre-trial, you may need to meet with the Hearing Member to discuss progress. _____

If "hearing" is circled above, it is agreed and ordered that on or before the below-stated dates, the parties shall take the following action to prepare for the hearing:

_____: Parties to exchange medical reports.

If permanent & total disability claimed, Plaintiff to submit to Defendant vocational report at least **60 days** before hearing; Defendant to submit to Plaintiff vocational report, if any, at least **30 days** before hearing.

_____: Defendant to submit to Plaintiff all medical reports.

_____: Witness list with the names and addresses of the witnesses and whether the witnesses will be by deposition or in person. Current number anticipated at hearing: Plaintiff _____ Defendant _____

_____: Exhibit list identifying each and every exhibit and that a copy of the same has been sent to opposing counsel or that the opposing party has had an opportunity to examine said exhibit.

_____: Stipulations of Facts executed by both parties, and setting out the specific issues to be determined by the Worker's Compensation Board.

Failure of the parties to exchange medical reports, lists of witnesses and exhibits may result in the exclusion of said evidence in this cause.

It is further ordered that, except for emergencies, requests for continuances should be made in writing and received by the Board on or before ten (10) days before the hearing; and such request will only be granted if good cause is shown. Continuance of matters pending for two (2) or more years is strongly disfavored. Matters pending for three (3) or more years on the scheduled hearing date shall not be continued in advance and shall only be re-set upon showing extraordinary circumstances.

It is further ordered that this Pre-Trial Order shall be binding upon the parties and determinative of the progress toward hearing. In addition, it is further agreed or ordered that the issues for determination by the Board are:

- ___ Compensability
- ___ TTD (Dates: ___/___/___ to ___/___/___)
- ___ PPI (current ratings of Pl: ___, Def: ___)
- ___ Perm & Total Disability
- ___ Other (specify): _____

- ___ Average Weekly Wage
- ___ Additional/Future Medical Care
- ___ Unauthorized Medical Care
- ___ Attorney's Fees on Disputed Medical

In addition to the above, it is further agreed or ordered:

Post-hearing submissions are not favored. If a trial Brief is to be offered, it should be tendered at hearing.

Attorney for Plaintiff

Attorney for Defendant

Date: _____

Judge Douglas W. Meagher