

APPENDIX A

OUTLINE FOR PREHEARING STATEMENT

The following shall be included in each party's Prehearing Statement:

I. **PENDING MOTIONS.** A list of all outstanding motions that have not been ruled upon by the administrative law judge.

II. **STATEMENT OF CLAIMS AND DEFENSES.** A concise statement of all claims or defenses asserted by all parties, together with all matters in mitigation or aggravation.

III. **UNDISPUTED FACTS.** A concise statement of all facts that the party contends are or should be undisputed.

IV. **DISPUTED ISSUES OF FACT.** A concise statement of the material facts that the party claims or concedes to be in dispute.

V. **POINTS OF LAW.** A concise statement of all points of law that are to be relied upon or that may be in controversy, citing pertinent statutes, regulations, cases and other authority. Extended legal argument is not required but may be reserved for a trial brief at the option of the party.

VI. **WITNESSES.** The name, address and telephone number of any witness or party whom the party may call at hearing, together with a detailed statement of the content of that person's testimony.

VII. **EXPERTS.** The name, address and brief summary of the qualifications of any expert witness a party may call at hearing, together with a statement that details the opinions to which each expert is expected to testify. These requirements may be satisfied by the incorporation of an expert's resume or report containing the required information.

VIII. **EXHIBITS.** A description of any physical or documentary evidence to be offered into evidence at the hearing. An agency shall use numbers to identify exhibits and any opposing party shall use letters.

IX. **STIPULATIONS.** A listing of all stipulations of fact or law reached, as well as a listing of any additional stipulations requested or offered to facilitate disposition of the case.

X. **TRIAL EFFICIENCIES.** An estimate of the amount of time required to try the case.

APPENDIX B

OUTLINE FOR CASE MANAGEMENT ORDER

A case management conference was held on _____ at which the following schedule and deadlines were ordered:

Hearing:

The hearing has been scheduled for _____ through _____ at the Office of Administrative Courts starting at 9:00 a.m..

Discovery:

1. Discovery cutoff, including completion of expert and fact witness depositions and receipt of all written discovery: _____
2. The numerical limits on interrogatories, requests for production, and requests for admission set forth in C.R.C.P. 26 (b)(2) are/are not adopted. The numerical limits in depositions set forth in C.R.C.P. 26 (b)(2)(A) are/are not adopted.
3. Other discovery issues

Expert Disclosures:

1. The Agency's initial disclosure of expert witnesses: _____
2. The opposing party's initial disclosure of expert witnesses: _____
3. Rebuttal experts: _____
4. Expert disclosures shall be filed with the administrative law judge, as well as served on the opposing party.

Prehearing Statements:

(Set out any modifications to the content of the prehearing statements.)

Motions Deadline:

1. Dispositive motions: _____ Responses: _____
2. All other prehearing motions to the extent that the basis for the motion is reasonably known: _____ Response: _____

Service:

(Set out any agreement or order as to the method of service, i.e., by e-mail, mail, or other method. Set out whether extra time for mailing is permitted.)

Filing:

(Set out any agreement or order as to the method of filing, i.e., by e-mail, mail, or other method. Set out whether extra time for mailing is permitted.)

Prehearing Conference:

A motions hearing/final prehearing conference is set for _____ at _____ a.m./p.m. at the Office of Administrative Courts.

DONE AND SIGNED

(date)

(NAME)
Administrative Law Judge