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| IN THE SUPREME COURT OF VICTORIA AT X | | |
| COMMON LAW DIVISION | | |
| TESTATORS FAMILY MAINTENANCE LIST /CIVIL CIRCUIT LIST | | |
|  | | S ECI 20YY NNNN |
| IN THE MATTER of Part IV of the *Administration and Probate Act* 1958 | | |
| - and - | | |
| IN THE MATTER of the Will and Estate of DECEASED, deceased | | |
| **BETWEEN:** | |  |
| PLAINTIFF(S) | | Plaintiff(s) |
| - and - | |  |
| DEFENDANT(S) (who is sued as the Executor of the Will of DECEASED, deceased) | | Defendant(s) |
| **GENERAL FORM of Order** | | |
| JUDICIAL OFFICER: | The Honourable Justice [or] Associate Justice [X] / Judicial Registrar [X] | |
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| DATE MADE: | DD MMMM 20YY | |
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| ORIGINATING PROCESS: | Originating Motion | |
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| HOW OBTAINED: | On return of the Orders of the Honourable Justice [or] Associate Justice [X] / Judicial Registrar [X] [OR] Pursuant to r 59.07 of the *Supreme Court (General Civil Procedure) Rules 2015* (Vic) (‘***Rules***’) | |
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| ATTENDANCE: |  | |
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| OTHER MATTERS: |  | |
| 1. The Court is informed that the mediation of the proceeding has concluded, and the proceeding is now ready for pre-trial directions. 2. The Court has read:    1. [*list all affidavits (including exhibits), written submissions and any other material relied on for the purposes of the making of these directions orders*] 3. This Order is authenticated by the Judge/Associate Judge/Judicial Registrar pursuant to r 60.02(1)(b) of the *Rules*. | | |
| **THE COURT ORDERS [BY CONSENT] THAT:** | | |
| 1. The proceeding is adjourned for trial directions and the fixing of a trial date on [date] at 10.00 am. 2. By 4.00 pm on [minimum 3 days prior to the date in order 1], the parties shall file an agreed joint trial document addressing the following matters: 3. a list of agreed facts and documents to be tendered by agreement of the parties (such an agreed statement shall constitute evidence before the Court of the facts it contains); 4. a list of the legal issues to be determined; 5. a timetable for the hearing, with an allowance for short opening submissions by both parties, then a list of witnesses to be called by each side, including where each witness resides, when each witness will be called and estimates of the time for each witness to be giving evidence, including cross-examination, and finally an allowance for closing submissions; 6. a schedule of the affidavits that the parties intend to rely on in the trial and whether either party objects to any parts of the affidavits (if so, the parties should consult in an effort to determine the objections); and 7. an estimate of the costs of each side up to and including the trial. 8. Subject to any order of the Trial Judge, the evidence in chief in this proceeding at trial shall be given *viva voce.* 9. Each party has liberty to apply. 10. The costs of this application are reserved. | | |