# IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT

# IN AND FOR ****LEON**** COUNTY, FLORIDA

## ****Plaintiff,**** ****-vs-**** ****Defendant.****

## ****\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/****

**Order Setting Pretrial and Non Jury Trial**

**Pretrial Conference**

The pretrial conference is set \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, at 9:00 a.m. via Zoom.

**Join Zoom Meeting**

Meeting ID: 937 2956 4192

Passcode: 320384

**Trial**

The 1 -day trial is set for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Normal daily schedule is 9:00 a.m. - 12:00 p.m. and 1:00 p.m. - 5:00 p.m., or later with 15 minute breaks midmorning and mid-day.

Per the Americans with Disabilities Act, persons needing an accommodation to participate should contact the Court Administrator's Office no later than seven days before the proceeding at (850) 606-4401.

**Witness and Exhibit Lists**

No later than fifteen (15) days before the trial, the parties shall file with the Clerk of the Court and serve on opposing parties a witness and exhibit lists as follows:

(a) A list of lay and expert witnesses the party may call at trial, their addresses and phone numbers, and summaries of their expected testimonies. The party must specify the area of expertise, the substance of their expert opinions, and the grounds supporting each position.

The parties shall ensure their witnesses' availability for the entire trial period or preserve their testimonies for use at trial per the Florida Rules of Civil Procedure and the Florida Rules of General Practice and Judicial Administration.

(b) A complete list of all exhibits which may be offered into evidence at trial, with a sufficient description to identify such exhibits.

**Discovery Cut-Off Date**

The parties shall complete discovery no later than No later than ten (10) days before the trial.

The parties may agree to extend this deadline without further order of the court unless doing so will delay the pretrial conference or trial. Otherwise, a party moving for leave to conduct late discovery must show good cause, a compelling reason for non-compliance, prior due diligence, and no resulting prejudice to an opposing party.

**Motion Hearings**

Both parties are responsible for promptly scheduling hearings on pending motions that need to be heard and decided. The Court may deem pending but unheard motions and late-filed motions waived or abandoned.

**Mediation**

This case is referred to mediation. The parties shall complete mediation no later than \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_in accordance with Fla. R. Civ. P. 1.700-1.730. The parties may extend the mediation date by agreement without further court intervention so long as such extension does not require extension of the jury selection or trial dates.

Each party shall attend the mediation as well as the lawyers who will try the case. A corporate party must be represented at mediation by an agent with full authority to settle the case. If the case involves insurance coverage, the insurer’s insurance adjuster must participate and have full authority to settle the case.

Mediation may be conducted and attended in person or by video conference.

At the conclusion of mediation, the mediator shall file a report with the Court announcing an impasse or settlement.

**Conference of the Parties**

The parties shall meet no later than thirty (30) days before the pre trial conference for the following purposes:

1. To discuss the possibility of settlement.

2. To stipulate as many facts and issues as possible.

3. To prepare a pretrial statement.

4. To examine the exhibits disclosed for use at trial.

5. To discuss any anticipated legal issues that may arise during trial, including questions of liability and damages, the evidence and proof that either party proposes to present at trial, and the law on which the parties will rely.

6. To consider and stipulate all other matters that may expedite the trial.

7. The parties shall take responsibility for preparing and jointly filing the pretrial statement and submitting it to the Court.

**Pretrial Statement**

The parties shall jointly file the pretrial statement, which shall address:

1. Estimated time for (a) opening statements; (b) presentation of Plaintiff's case (assume six hours per day); (c) presentation of Defendant's case (assume six hours per day); (d) closing arguments; and (e) the total estimated length of the trial.

2. Any scheduling problems or preferences.

3. Stipulations regarding disclosed witnesses and exhibits.

4. A concise statement of those facts which are admitted and will require no proof at trial, together with any reservations directed to such admission.

5. A concise statement of anticipated issues in dispute.

The pretrial statement shall be initially drafted by the plaintiff with consultation with defense counsel and submitted thirty (30) days before the time of trial.

**General**

The Court will not grant a trial continuance without a hearing and motions for continuance must be signed by the client. Fla. R. Gen. Prac. & Jud. Admin. 2.545(e).

If a party fails to comply with this Order, the Court may impose sanctions, including charging attorney's fees, entering default judgments, striking defenses, or dismissing claims.

Please promptly notify the court if the case settles, and file a motion for an order of dismissal. The court will not remove this case from the trial docket until the plaintiff files a motion for dismissal.

The Court expects the parties to work through problems. Violations of this Order, which the parties cannot resolve, should be promptly brought to the Court's attention by motion and a notice of hearing.

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