

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
HILLSBOROUGH COUNTY, FLORIDA
GENERAL CIVIL DIVISION

Plaintiff(s),

v.

Defendant(s).

CASE NO.: _____

DIVISION: _____

**UNIFORM ORDER SETTING CASE FOR TRIAL AND PRETRIAL
(JURY TRIAL)**

(Revised – January 26, 2015)

This case being at issue, it is hereby **ORDERED AND ADJUDGED:**

1. JURY TRIAL DATE: The above-entitled action is hereby set for jury trial during the week(s) of _____, commencing at _____, or as soon thereafter as the cause may be heard at George Edgecomb Courthouse, 800 East Twiggs Street, Courtroom # _____, Tampa, FL 33602 or Plant City Courthouse, 301 N Michigan Ave, Courtroom # _____, Plant City, FL 33563.

2. PRETRIAL CONFERENCE DATE: A pretrial conference will be held in chambers before the Honorable _____, Circuit Judge, George Edgecomb Courthouse, 800 East Twiggs Street, Room _____, Tampa, FL 33602 or Plant City Courthouse, 301 N Michigan Ave, Courtroom # _____, Plant City, FL 33563, on _____, at _____ AM / PM, in accordance with Florida Rule of Civil Procedure 1.200.

3. WITNESS LIST: At least 120 days before the pretrial conference, counsel for the Plaintiff must furnish to counsel for the Defendant and file directly with the Clerk of the Circuit Court (Clerk), a list of the names and addresses of all witnesses, including expert witnesses and rebuttal witnesses, who are expected to testify at the trial of this cause. At least 90 days before the pretrial conference, counsel for the Defendant must furnish to counsel for Plaintiff, and file directly with the Clerk, a list of names and addresses of all witnesses, including expert witnesses and rebuttal witnesses, who are expected to testify at the trial of this cause. Each party's witness list must specifically designate all expert witnesses and with respect to each expert witness, each party must disclose the expert's area of expertise, the subject matter on which the expert is expected to testify, the substance of the facts and opinions to which the expert is expected to testify, and a summary of the grounds for each opinion. The court may preclude an expert from testifying outside of the disclosed opinions. With respect to each disclosed expert witness, the disclosing party must provide to all other parties, not less than five proposed deposition dates.

4. **DISCOVERY DEADLINE**: Counsel must complete all discovery, including expert discovery in accordance with Florida Rule of Civil Procedure 1.280(b)(4), at least 30 days prior to the pretrial conference. Discovery conducted after this time period is strongly disfavored and will be permitted by order of the Court only under exceptional circumstances.

5. **CME DEADLINE**: All compulsory medical examinations (CME) must be completed no later than 60 days prior to the pretrial conference. If a report is requested by Plaintiff's counsel in accordance with Florida Rule of Civil Procedure 1.360(b), it must be served on him or her no later than 15 days after either the CME is conducted, or the request is made, whichever is later.

6. **MOTIONS**: All dispositive motions and motions filed in accordance with section 90.702, Florida Statutes (*Daubert* challenges), must be filed not later than 45 days before the pretrial conference and must be scheduled for hearing prior to the pretrial conference. All other motions must be filed and heard prior to the pretrial conference. All motions other than motions in limine not heard before the pretrial conference will be deemed abandoned. Motions in limine must be filed not less than 30 days prior to the trial and must be scheduled for hearing on or before the Friday before trial. Objections raised in depositions expected to be introduced at trial must be filed with the Court prior to the pretrial conference. Those objections must be scheduled for hearing on or before the Friday before trial.

7. **COUNSEL MEETING PRIOR TO PRETRIAL CONFERENCE**: The attorneys for all parties are directed to meet together by agreement initiated by counsel for the Plaintiff, no later than 10 days before the pretrial conference, to:

- a) Mark all exhibits for identification;
- b) Prepare an exhibit list for the Clerk and Court (actual exhibits and documentation evidence must be available for inspection at this time);
- c) Stipulate to the admission into evidence or list specific objections, if any, to each proposed exhibit;
- d) Stipulate as to any matter of fact and law about which there is no issue to avoid unnecessary proof;
- e) Review all depositions which are to be offered for any purpose other than impeachment to resolve objections to the portions to be offered in evidence;
- f) Discuss the possibility of settlement;
- g) Submit an itemized statement of special damages Plaintiff expects to prove;
- h) Discuss and complete any other matters which may simplify the issues or aid in the speedy disposition of this action, its pretrial conference and trial; and
- i) Draft one Pretrial Conference Order (using the form order located at the Court website www.fljud13.org), signed by all participating counsel, that must be submitted directly to the Court at least 3 days prior to the pretrial

conference. In the event the parties are unable to agree on a matter in the Pretrial Conference Order, the matter will be resolved at the pretrial conference.

8. ALTERNATIVE DISPUTE RESOLUTION: The parties must submit the case to mediation or arbitration which must be completed prior to the pretrial conference unless waived by the Court.

9. JURY INSTRUCTIONS & VERDICT FORMS: Instructions and verdict forms must be submitted to the Court no later than the pretrial conference. Each instruction must be printed on a separate sheet of paper. Counsel must confer prior to the pretrial conference as to any agreement they can reach on the instructions and verdict forms and advise the court at the pretrial conference. In order for the Court to provide the jury with a set of written jury instructions for consideration during deliberations, the parties must provide the Court at trial a clean copy of the requested instructions for each juror and alternate juror and a proposed verdict form (not numbered and with no designation as to the requesting party or citations to supporting authority).

10. FULL SETTLEMENT AUTHORITY: Counsel must be prepared to negotiate settlement at the pretrial conference and have full authority to settle the case or have available at the conference a party or representative who does have full authority to settle.

11. SANCTIONS: Failure to comply with the requirements of this Order will subject counsel and the parties to such sanctions as the Court determines just and proper under the circumstances.

12. AVAILABILITY OF WITNESSES: The parties must do all things reasonable and necessary to assure the availability of their witnesses for the entire trial period or to otherwise preserve their testimony for trial in accordance with the Florida Rules of Civil Procedure.

13. SETTLEMENT NOTIFICATION: Counsel must immediately notify this Court in the event of settlement, and submit a stipulation for an Order of Dismissal and a Final Disposition form. Counsel must likewise notify this Court if the parties wish to avail themselves of the Voluntary Trial Resolution provisions of Chapter 44, Florida Statutes.

14. TECHNOLOGY NEEDS: No later than 7 days prior to the pretrial conference, the attorneys for all parties must notify the Court's Business Center (CBC) (813-272-5520) as to any audio-visual equipment or other multi-media technology they intend to reserve for use at trial, as indicated in section 26 of the UNIFORM PRETRIAL CONFERENCE ORDER.

15. COURT REPORTING: No later than 7 days prior to the pretrial conference the parties must, if desired, secure the services of a court reporter for trial.

16. JURY COMMUNICATION BY BAILIFFS: In accordance with Florida Rule of Civil Procedure 1.431(i), routine *ex parte* communication between the bailiff or other courtroom personnel and the jurors are limited to juror comfort and safety and may occur off the record. Examples of permissible *ex parte* communication include discussion of routine matters such as parking, location of break areas, how and when to assemble for duty, proper attire, and which items of a juror's personal property may be brought into the courthouse or jury room. Except for these types of permissible *ex parte* communications regarding juror comfort and safety, any other communication between bailiffs or other courtroom personnel and the jurors will be promptly reported to the court and the court will notify the parties of any matter that may be of interest to the parties.

17. SELF-REPRESENTED PARTIES: All provisions of this order that require compliance by counsel are likewise applicable to any self-represented party.

18. OTHER:

At least one trial counsel per party must be physically present at the pretrial conference.

IT IS ORDERED in Tampa, Hillsborough County, Florida on this _____ day of _____, 20__.

CIRCUIT JUDGE

Copy Furnished To: