

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

Plaintiffs,

v.

Case No.
Division:

Defendants.

**DIFFERENTIATED CASE MANAGEMENT ORDER AND
NOTICE OF HEARING**

**(GENERAL CIRCUIT CIVIL CASES
FILED ON OR AFTER JANUARY 1, 2025)**

THIS CAUSE comes before the Court in accordance with Florida Rule of Civil Procedure 1.200 and Thirteenth Judicial Circuit Administrative Order S-2024-085 (*Circuit Civil Differentiated Case Management Plan*) (the “**Case Management Plan**”) or any successor administrative order.

Accordingly, it is now

FOUND, ORDERED, and **ADJUDGED** that:

1. **Designation of Case.** This case is preliminarily designated as a *General* civil case, as defined by Florida Rule of Civil Procedure 1.200.
2. **Plaintiff’s Obligation to Serve DCM Order on All Defendants.** Consistent with the Case Management Plan, this Differentiated Case Management Order and Notice of Hearing (the “**DCM Order**”) has been generated automatically upon the filing of the complaint and must be provided to Plaintiff along with the summons. Plaintiff is **DIRECTED** to serve the DCM Order on each and every named

defendant in the same manner and at the same time as the complaint itself is served.

3. **Conformity with Time Standards.** The deadlines established in this DCM Order are set in contemplation of the time standards specified in Florida Rule of General Practice and Judicial Administration 2.250(a)(1)(B).
4. **Procedure for Modification of Deadlines.** Counsel or any self-represented parties, or both, may seek to modify the deadlines set forth in this order by either:
 - a. Filing a motion in accordance with Florida Rule of Civil Procedure 1.200(e)(3) and setting it for hearing; or
 - b. Stipulating to new deadlines and submitting an Amended Differentiated Case Management Order. The Amended Differentiated Case Management Order ("**Amended DCM Order**") form is available under the "Forms" tab of the undersigned's page at <http://www.fljud13.org>. The Amended DCM Order must include a date for a court-ordered case management conference (the "**Court-Ordered Case Management Conference**"). Hearing time for the Court-Ordered Case Management Conference should be secured on either a Uniform Motion Calendar ("**UMC**") docket or a 15-minute hearing docket.
5. **Procedure for Setting Firm Trial Date.** The deadlines set forth in this DCM Order contemplate a projected trial date within the time standards specified in Florida Rule of General Practice and Judicial Administration 2.250(a)(1)(B). A firm trial date will be set through entry of a Uniform Order Setting Trial and Pretrial at the Court-Ordered Case Management Conference or as otherwise provided in this order.
6. **Court-Ordered Case Management Conference.** It is appropriate to set a Court-Ordered Case Management Conference prior to the close of fact discovery to both assess the progress of the case and set a firm trial date.

- a. **Date and Time for Court-Ordered Case Management Set Below.** A date and time for the Court-Ordered Case Management Conference is set below.
- b. **Method of Conducting Court-Ordered Case Management Conference:** The Court-Ordered Case Management Conference will be conducted remotely through the use of the following technology and connection instructions:

[insert division-specific WebEx / Zoom information].

- c. **Attendance Mandated.** Counsel and any self-represented parties **MUST ATTEND** unless otherwise excused by the Court and must be prepared to discuss selection of a firm trial date and corresponding pretrial conference date and time.
- d. **Process for Securing Excusal from Attending the Court-Ordered Case Management Conference:**
 - i. **Automatic Excusal.**
 - 1. Unless otherwise ordered by the presiding judge, counsel or any self-represented parties, or both, are automatically excused from attending the Court-Ordered Case Management Conference if a Uniform Order Setting Trial and Pretrial has been submitted to and signed by the Court at least 30 days before the date of the Court-Ordered Case Management Conference; and
 - 2. Any party seeking to invoke this automatic excusal provision should notify the judicial assistant by email sent to the division email address within 3 business days of the date the Uniform Order Setting Trial and Pretrial is signed.
 - ii. **Discretionary Excusal.**
 - 1. Counsel or self-represented parties, or both, may seek a discretionary excusal from the Court-Ordered Case Management Conference by filing a

motion and submitting an agreed proposed order excusing their attendance on one of the following grounds:

- a. The Court has signed an Amended DCM Order, either by stipulation or by filing a motion and setting a hearing, AND the Amended DCM Order sets a new Court-Ordered Case Management Conference; or
- b. Counsel has otherwise demonstrated good cause to believe that the case is otherwise in full compliance with the Case Management Plan.

e. **Failure to Attend Court-Ordered Case Management Conference.** The failure to attend the Court-Ordered Case Management Conference may result in the case being set for a trial date without input of the absent counsel or self-represented party, or both; dismissal of the complaint without prejudice; entry of a judicial default; monetary sanctions against counsel or any self-represented parties, or both; or any other sanctions deemed appropriate by the presiding judge.

7. **Firm Trial Date to be Set by Uniform Order Setting Trial and Pretrial.** Once a firm trial date is selected, counsel will be directed to prepare and submit through the Florida E-Portal (the “**Portal**”) a Uniform Order Setting Trial and Pretrial, which is available under the “Forms” tab of the undersigned’s page at <http://www.fljud13.org>. The Uniform Order Setting Trial and Pretrial will require calculation of additional deadlines in a specified manner.

8. **Requirement to Review and Comply with Administrative Order for Circuit Civil Division.** Counsel and any self-represented parties are **DIRECTED** to review and comply with all provisions of Administrative Order S-2024-046 (*Circuit Civil Division*), and any successive administrative order.

9. **Certificate of Conferral for Non-Dispositive Motions.**

- a. **When Required.** Parties are required to confer prior to filing motions in accordance with Florida Rule of Civil Procedure 1.202.
- b. **Cancellation of Hearing/Denial of Motion Filed Without Certificate of Conferral.** Counsel and any self-represented parties should anticipate that a hearing set on a motion that lacks such a certification will be canceled and the motion may be denied without a hearing for failure to comply with this requirement.
- c. **Form of Certificate of Conferral.** The certificate of conferral should be substantially in the following form:

Certificate of Conferral Prior to Filing

“I certify that prior to filing this motion, I attempted to resolve the matter by discussing the relief requested in this motion by [date and method of communication (select one of the following: in person, telephone, or video conference)] with the opposing party or counsel and [the opposing party or counsel did not agree to that the motion could be resolved without the necessity of a hearing] OR [the opposing party or counsel did not respond and (describe with particularity all of the efforts undertaken to accomplish dialogue with the opposing party or opposing party’s counsel prior to filing the motion)].”

10. Discovery Provisions.

a. Fact Discovery.

- i. All discovery must be served in time for a timely response to be received prior to the deadline for completion of fact discovery.
- ii. All non-expert witness depositions must occur prior to the deadline for completion of fact discovery.
- iii. Failure to timely complete discovery by the deadline for completion of fact discovery may result in, among other

things, exclusion of evidence or other sanctions, or both.

b. Expert Discovery.

- i. Expert disclosure must occur by the deadline indicated below.
- ii. Contemporaneous with disclosure of each expert, the disclosing party must provide to all other parties:
 1. No less than five proposed deposition dates, all of which must be prior to the deadline to complete expert discovery; and
 2. For each expert:
 - a. Identify the expert's area of expertise;
 - b. Identify the subject matter on which the expert is expected to testify;
 - c. Summarize the substance of the facts and opinions to which the expert is expected to testify; and
 - d. Summarize the grounds for each opinion.
- iii. The court may preclude an expert from testifying outside of the disclosed opinions.
- iv. All expert witness depositions must be conducted prior to the deadline for completion of expert discovery.
- v. It is the responsibility of counsel to select experts who:
 1. Are prepared to make themselves available for deposition within the expert discovery period; and
 2. Are prepared to respond promptly to requests for deposition dates.

- vi. If an expert cannot be deposed prior to the deadline for completion of expert discovery despite timely and reasonable efforts of opposing counsel to secure deposition dates, that expert's testimony may be excluded at trial.

11. **Deadlines.** The deadlines set forth below are **ESTABLISHED** and will **GOVERN** this case and will be strictly enforced by the Court. Counsel and any self-represented parties are **DIRECTED** to review, calendar, and abide by them:

Action or Event	Date
Complaint filing date.	
Deadline for service of complaint. [120 days after filing of complaint; <i>see</i> Rule 1.070(j), Fla. R. Civ. P.]	
Deadline for adding parties. [150 days after filing of complaint; subject to Rule 1.210, Fla. R. Civ. P.]	
Deadline for service under extensions. [180 days after filing of complaint; <i>see</i> Rule 1.070(j), Fla. R. Civ. P.]	
Deadline for filing all objections to pleadings. [180 days after filing of complaint.]	
Deadline for resolution of all objections to pleadings. [200 days after filing of complaint.]	
Court-Ordered Case Management Conference.	

NOTE: This hearing will be conducted remotely. Please see paragraph 6(b) for connection instructions. [210 days after filing of complaint.]	
Deadline for completion of fact discovery. [270 days after filing of complaint.]	
Deadline for filing motion to compel discovery. [284 days after filing of complaint.]	
Plaintiff's expert disclosure deadline. [300 days after filing of complaint.]	
Defendant's expert disclosure deadline. [330 days after filing of complaint.]	
Rebuttal expert disclosure deadline. [344 days after filing of complaint.]	
Deadline for completion of compulsory medical exam, if applicable and requested ("CME"). [390 days after filing of complaint; subject to Rule 1.360(1)(A), Fla. R. Civ. P.]	
Deadline for filing and service of motions for summary judgment. [400 days after filing of complaint.]	
Deadline for completion of alternative dispute resolution. [420 days after filing of complaint.]	
Deadline for completion of expert discovery. [420 days after filing of complaint.]	

Deadline for filing of all pretrial motions excluding motions in limine. [450 days after filing of complaint.]	
Deadline for resolution of all pretrial motions, including motions for summary judgment and <i>Daubert</i> motions but excluding motions in limine. [500 days after filing of complaint.]	
Deadline for filing of all motions in limine. [520 days after filing of complaint.]	
Deadline for resolution of all motions in limine. [539 days after filing of complaint.]	
Month and year of the projected trial term. [540 days after filing of complaint; see Florida Rule of General Practice and Judicial Administration 2.250(a)(1)(B); firm trial date will be set by entry of a Uniform Order Setting Trial and Pretrial (Revised January 1, 2025).]	

ENTERED by the undersigned judge on the date imprinted below.

CIRCUIT JUDGE