

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

Plaintiff(s),

CASE NO.

DIVISION

Defendant(s),

**ORDER ESTABLISHING PROCEDURES FOR
HEARINGS AND RULINGS ON MOTIONS IN LIMINE**

THIS MATTER came before the Court in Chambers and as part of, and as a supplement to, the Uniform Order Setting Case for Jury Trial and Pre-Trial Conference (Uniform Order), and the Court finding that certain procedures will expedite and simplify the rulings on Motions in Limine, assist in the administration of justice in this division, it is Order that:

- 1- The any and all Motions in Limine from any party must be filed no later than the timeframe set forth in the UNIFORM ORDER unless extended by this Court.
- 2- Before setting a Motion in Limine for hearing before the Court, counsel, not support nor paralegal personnel, must meet either by telephone and/or in person and confer on each and every requested Motion in Limine.¹
- 3- Subsequent to the meeting(s), counsel filing the Motion in Limine must prepare and file a stipulation confirming in writing the agreed upon Motions in Limine and the agreements as to each.
- 4- After the meet and confer requirement has been satisfied, counsel filing the Motions in Limine shall submit to the Court a written memorandum of law,

¹ The vast majority on motions in limine are controlled by existing case law. Counsel should only contest those matters that have not already been decided by existing law, Matters not brought in good faith, supported by existing case law, or for which there is not a good faith basis to suggest the change to existing law, are subject to sanctions under *Fla. Stat. 57.105* and the Florida Rules of Civil Procedure.

with supporting case law, (1) identifying each item in the Motion(s) in Limine that has not been agreed to by opposing counsel at the meet and confer and (2) setting forth any arguments and case law in support of the disputed Motion(s) in Limine. Opposing counsel will have five (5) business days to file a written response if they wish. The Court will review the memorandums and any responses thereto and either (1) rule on the specifically disputed Motion(s) in Limine without a hearing or (2) direct that a hearing be set on the disputed Motion in Limine. The moving party must send out the notice of hearing and specifically set forth in the "Notice" the specific motions or portions of the motions which remain in dispute and require the Court's resolution. No additional case law will be considered that has not been set forth in the previously submitted memorandums or responses unless that case law was issued subsequent to the submittal of the memorandums or responses.

- 5- Any Motions in Limine not timely filed and/or not discussed at the meet and confer, and if unresolved, not set for hearing, will be considered abandoned.
- 6- The party filing the Motion in Limine will prepare the proposed order on any contested hearing reflecting the Court's ruling.
- 7- All counsel are reminded that the Court recognizes that rulings on Motions in Limine are non-final orders subject to modification during trial as evidence is presented.
- 8- The court's rulings on Motions in Limine must be memorialized in an Order in Limine prepared by the moving party prior to trial and a copy of the court's ruling must be provided to any witness whose testimony might be limited by the ruling by the party calling the witness.
- 9- Any prior Orders granting Motions in Limine made by a predecessor judge must be provided in writing to the court at the Pretrial Conference.

DONE AND ORDERED in Tampa, Hillsborough County, Florida on

_____, 20____.

CIRCUIT JUDGE