IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT

IN AND FOR LAKE COUNTY, FLORIDA

, CASE NO.

Plaintiff,

And

,

Defendant.

/

**ORDER AFTER CASE MANAGEMENT CONFERENCE**

THIS CAUSE came to be heard for a Case Management Conference on \*\*\*. The Court, being fully advised, finds and orders the following:

1. The following appeared:

Plaintiff’s Attorney in person by phone did not appear  Zoom Video

Defendant’s Attorney in person by phone did not appear  Zoom Video

2. Case Type:  Med Mal  Auto Neg.  Contracts  Premises Liability

Business Trans. Prof. Mal. Ins. Claim Nurs. Home Neg. Other:

3. The matter is scheduled for the  one-week  two-week  three-week trial term beginning \_ at 8:30 a.m.

4. Disclosure of Experts: II: 60 days prior to trial Δ: 60 days prior to trial

Disclosure of Rebuttal Experts: within 15 days of disclosure of experts Deadline to complete Expert Depos: 10 days prior to trial

5. Discovery Cut-Off: Pretrial Conference

Deadline to Amend Pleadings: 30 days prior to Pretrial Conference

6. Daubert Motions-completed by: 14 days prior to Pretrial Conference

7. Mediation to be completed no later than:

8. Witness Lists: 90 days prior to trial Exhibits: 90 days prior to trial

9. Expected length of trial: # of Jurors needed:

10. Jury Instructions to Δ:

11. Peremptory Challenges: II: Δ:

12. Voir Dire Limits: II: Δ:

13. Any motion pertaining to the conduct of trial, including Motions in Limine, shall be filed and scheduled for hearing on , the Friday immediately prior to the start of the trial term in this case. Please mark your calendars accordingly. Failure to do so shall constitute a waiver of the issues raised unless good cause is shown for the delay. The Friday immediately prior to the start of the trial term is reserved for hearing all motions regarding the conduct of trial. Please mark your calendars accordingly. Lack of diligence shall not constitute good cause. **No motions will be heard on the day of trial.**

14. Examination of witnesses will be limited to Direct/cross/re-direct of witnesses.

15. Once jurors 1-6 are selected and selection of an Alternate juror begins, back striking jurors 1-6 will replace 1-6.

16. The Pretrial Conference shall be on at a.m./p.m. in Courtroom 1F, of the Lake County Judicial Center, 550 West Main Street, Tavares, Florida 32778, before the undersigned Circuit Judge pursuant to Rule 1.200, Florida Rules of Civil Procedure, to consider all matters suggested in this rule to simplify the issues and expedite the trial, or other disposition of the case. It is further Ordered that:

1. Each party be represented at the conference by the attorney who expects to conduct the actual trial of the case, and that such attorney not only be familiar with the provisions and purposes of Rule 1.200, but with his own evidence, with full authority to make disclosures of facts, to admit and stipulate any undisputed facts and to waive technical requirements for admission of evidence.
2. WILLFUL FAILURE TO COMPLY WITH THE FOLLOWING WILL RESULT IN THE ATTORNEY ANSWERING A CONTEMPT OF COURT CITATION.

At least five (5) days prior to said pre-trial conference, counsel shall e-file, and a copy thereof to opposing counsel, the following:

1. A brief memorandum setting forth the general nature of the proceedings, including:
2. The names of all parties;
3. Factual contentions of each party;
4. The type of action and relief sought;
5. The defense interposed;
6. The type of counterclaim, if any, and the relief sought thereby; and
7. All facts either party will admit.
8. A schedule of all exhibits and documentary evidence which may be used at trial;
9. Witness list of the names and addresses of all individuals who may be called to testify at the trial; and
10. Any requests for preliminary rulings on questions of law and citations in regard thereto.
11. Counsel are encouraged to stipulate to admissibility of evidence listed in their respective pre-trial memos.
12. Prior to the pre-trial conference, counsel shall confer relative to the following:
    1. The admissibility of documentary evidence and reservations of objections pertaining only to relevancy and materiality, waiving those relating to authenticity and/or requirements for custodians;
    2. Any matter of law or fact about which there is no issue;
    3. Any matters that would simplify the issues or aid in the speedy disposition of the action; and
    4. Possible settlement.
13. “Fabre Defendants”. All Plaintiffs, Defendants, or other persons sought to be placed on the verdict form and against whom some measure of liability may be assessed by the jury, must be disclosed to the court and opposing counsel no later than 30 days before the pre-trial conference. No person or entity not so disclosed may be placed on the verdict form without good cause shown, **this will be strictly enforced.**
14. Failure of any party to appear by trial counsel or to comply with any other provisions of this order will be grounds for the court to strike that party’s pleadings or take such other action as justice requires, **including contempt of court proceedings**.
15. The court requests that counsel for plaintiff prepare and submit an order reciting the action taken which will be binding on the parties; provided, however, no statements relative to settlement shall be included therein.
16. Any record made in the course of the conference proceedings shall be deemed part of the record made upon the trial of this cause, excepting statements relative to settlement. Come prepared to state a computed settlement figure acceptable to your party, based upon damages and liability that can be proven. If counsel desires a transcript of the conference, arrangements should be made for it to be taken at his/her own expense.
17. Jury instructions which will be proposed to be used at trial are required to be submitted to the court in writing five (5) days prior to the morning of trial. They shall be typed on 8 ½” x 11” paper in substantially the same format as they appear on the Florida Court’s website. There shall be one instruction per page, and **should not** be in all uppercase letters. They shall be in complete form, and with the exception of the cover sheet, shall not bear the name of the party requesting same inasmuch as a copy of the instructions will be given to the jury at the close of trial for their use in deliberations. Florida Standard Jury Instructions shall be typed and submitted in complete form. If any change of the standard instruction is requested, the instruction should be submitted in the form sought. The court would welcome a trial brief.
18. Should either party desire the trial of this cause to be reported, it shall be the responsibility of counsel for that party to insure the presence of a qualified reporter for that purpose at the time of trial. Counsel are encouraged to stipulate to designation of a reporter at or prior to the pre-trial conference.
19. Prior to the trial date, the parties shall schedule a meeting with the Court’s clerk for purposes of pre-marking exhibits. Each party shall furnish the clerk a schedule of exhibits. Duplicate exhibits should not be marked. The Clerk may be contacted at 352.742.4344.

**If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator at the Office of the Trial Court Administrator, Lake County Courthouse, P.O Box 7800/550 W. Main Street, Tavares, Florida 32778, Telephone (352) 742-4221, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.**

DONE AND ORDERED in Tavares, Lake County, Florida on this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_.

BRIAN J. WELKE

CIRCUIT JUDGE

Copies to all parties