IN THE CIRCUIT COURT, FOURTH

JUDICIAL CIRCUIT, IN AND FOR

DUVAL COUNTY, FLORIDA.

CASE NO.:  16-

DIVISION: CV-

Plaintiff,

vs.

Defendant.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**ORDER SETTING CASE FOR JURY TRIAL AND**

**PRETRIAL CONFERENCE AND REQUIRING MATTERS**

**TO BE COMPLETED PRIOR TO PRETRIAL CONFERENCE**

It appearing that this cause is at issue and ready for trial, it is, therefore,

**ORDERED** as follows:

1. **TRIAL DATE.**

This cause is hereby set for jury trial on **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**at 9:30 a.m. Time allocated for trial is **\_\_\_\_ days.**

1. **PRE-TRIAL CONFERENCE.**

The Pretrial Conference will be held in Hearing Room **\_\_\_\_\_\_\_\_**, Duval County Unified Courthouse, 501 West Adams Street, Jacksonville, Florida, on **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** **at \_\_\_\_\_\_\_\_\_a.m. /p.m.**, in accordance with the provisions of Rule 1.200, Florida Rules of Civil Procedure. Time allocated for conference isfifteen (15) minutes.

1. **PRE-TRIAL MOTIONS.**

**Motions *in Limine*.** Absent good cause shown, all Motions *in Limine* shall be filed no later than fourteen (14) days before the final Pre-Trial Conference. Unless otherwise allowed by the Court, any such motion shall (1) address only anticipated evidentiary issues which are (2) specific to this case. No Motion *in Limine* will be considered by the Court if it is not case specific, except by Stipulated Order. At the pre-trial meeting between counsel required herein, the parties shall discuss pending Motions *in Limine* in an attempt to resolve any evidentiary disputes. The Court will not hear any Motion *in Limine* about which all counsel have not held such a discussion.

**Motions to exclude testimony of expert witnesses.** Absent good cause shown, all motions seeking to exclude expert witnesses testimony shall be scheduled for hearing no fewer than fourteen (14) days before the Pretrial Conference.  The moving party shall coordinate the setting of the hearing.

1. **REQUIREMENTS PRIOR TO PRE-TRIAL CONFERENCE.**

**No later than seven (7) days prior to the Pre-Trial Conference**, attorneys for each party shall meet together by agreement instigated by counsel for the Plaintiff(s), to discuss the possibility of settlement; stipulate to as many facts and issues as possible; examine all exhibits and documents which may be used at trial; furnish opposing counsel the names and addresses of all witnesses who may testify at trial; review all video depositions or exhibits to be used at trial; agree to the extent possible on the use of jury instructions and verdict form at trial; and complete all other matters which may expedite both the Pre-Trial Conference and the Trial of this case.

5. **REQUIREMENTS OF PRE-TRIAL STIPULATION.**

Counsel shall prepare a Pre-Trial Stipulation which shall be filed with the Court at the Pre-Trial Conference and shall contain the following: (a) a concise factual statement of the nature of the action, which shall include the date and place of accrual, identity of the parties as they relate to the action, and a brief general statement of each party’s case or contention. The statement shall be in such form and contain such necessary information for the Court to read to and apprise the jury of the claims to be tried, including any Counter-Claims, Cross-Claims, or Third-Party Claims; (b) a concise statement of those facts which are admitted and will require no proof at trial; (c) a concise statement of those issues or fact which remain to be litigated; (d) any proposed amendments to the pleadings; (e) a complete list of witnesses, including anticipated impeachment witnesses, specifying the name and address of each from whom testimony may be presented at trial; (f) a statement reflecting objections to specific portions of video depositions, testimony, or video exhibits which may be offered in evidence at trial; and (g) a list of any undisposed matters to be heard at the Pre-Trial Conference.

6. **TRIAL EXHIBITS.**

All exhibits intended to be offered at trial shall be exhibited to all opposing counsel prior to the Pre-Trial Conference. The Pre-Trial Stipulation shall contain a list of all exhibits which may be offered in evidence at trial, together with a statement of objections, if any, to exhibits offered by the opposing party. With respect to each item, the Pre-Trial Stipulation shall reflect whether or not the evidence will be stipulated into evidence, stipulated as to authenticity, with objection reserved for relevancy and materiality, or objected to in its entirety and the ground therefor. All exhibits which are the subject of any objection raised in the Pre-Trial Stipulation shall be brought to the Pre-Trial Conference.

Prior to the presentation of evidence, counsel shall deliver to the Clerk of the Court an Exhibit List along with all exhibits to be introduced. All exhibits shall be pre-marked with exhibit stickers. A copy of each party’s Exhibit List shall also be filed at the Final Pre-Trial Conference.

7. **EXPERT WITNESSES**.

No later than **one hundred twenty (120)** days prior to the Pre-Trial Conference, Plaintiff(s) shall serve on all opposing counsel and file with the Court a Notice containing the following information regarding each expert witness who will testify at trial on behalf of Plaintiff(s): (a) the name and address of the witness; (b) the area(s) of expertise of the witness; (c) the subject matter of the expected testimony of the witness; (d) the substance of the facts and opinions about which the witness is expected to testify; and (e) a summary of the grounds on which each of the opinions of the witnesses will be based. No later than **ninety (90)** days prior to the Pre-Trial Conference, each Defendant shall serve on all other counsel and file with the Court a Notice containing the same information regarding each expert witness who will testify at trial on behalf of that defendant. Any expert witness not included on the Notice as provided herein will not be allowed to testify without an order of the Court.

8. **DISCOVERY.**

Discovery shall be completed prior to the Pre-Trial Conference unless otherwise extended by written agreement of counsel or by Order of the Court.

9. **JURY INSTRUCTIONS AND VERDICT FORMS.**

Typed proposed jury instructions and verdict forms shall be filed with the Court at the Pretrial Conference and may be supplemented prior to the Jury Instruction Conference. Counsel for the Plaintiff(s) shall be responsible for preparing a complete set of instructions, and verdict form, and serving the same upon other counsel at or before the Pretrial Conference contemplated by paragraph 3 hereof.

10. **ATTORNEY REPRESENTATION.**

The Pre-Trial meeting and the Pre-Trial Conference shall be attended by an attorney who will participate in the trial of the case, and all admissions and disclosures of fact made at those times shall be binding on the client.

11. **MEDIATION.**

This case is referred to mediation. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is appointed Mediator in accordance with Rules 1.700 - 1.730 of the Florida Rules of Civil Procedure, Chapter 44 of the Florida Statues, and Administrative Order No. 2013-13.

**MEDIATION SHALL BE HELD PRIOR TO THE PRE-TRIAL CONFERENCE. IT IS MANDATORY THAT MEDIATION BE ATTENDED IN PERSON BY THE PARTIES, THEIR COUNSEL WHO WILL TRY THE CASE, AND, WHEN APPLICABLE, AN INSURANCE COMPANY REPRESENTATIVE WITH FULL AND ABSOLUTE AUTHORITY TO SETTLE THE CASE WITHOUT FURTHER CONSULTATION.** A party, trial attorney, or insurance company representative may be excused from attending the mediation conference by the Mediator or the Court only for good cause.

1. **ADMONITIONS.**

Failure to comply with the requirement of this Order will subject the party or attorney to appropriate sanctions. **The Plaintiff(s) shall promptly notify the Court if the case is settled.**

**DONE AND ORDERED** in Chambers at Jacksonville, Duval County, Florida, this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Circuit Judge**

**Copies furnished to:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Esquire**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Esquire**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Mediator**

**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 (904) 255-1695 or** [**crtintrp@coj.net,**](mailto:crtintrp@coj.net,) **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.**