

**IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
IN BROWARD COUNTY, FLORIDA**

Plaintiff,

**Case No:
Complex Litigation Unit**

vs.

Defendant.
_____ /

NOTICE OF HEARING AND ORDER ON CASE MANAGEMENT CONFERENCE

Notice is hereby given that on _____ at _____ in Courtroom _____, of the Broward County Courthouse, 201 S.E. 6th Street, Fort Lauderdale, Florida, the undersigned shall convene a Case Management Conference ("CMC") in this cause. This case is governed by the Complex Litigation Unit Procedures found at: <http://www.17th.flcourts.org>.

The parties are ordered to provide courtesy copies of all motions and memoranda pertaining thereto, subsequently filed in this case, to the undersigned Judge in Room _____ of the Broward County Courthouse with a diskette, CD, or e-mail attachment addressed to: complexlitigation@17th.flcourts.org.

Plaintiff's counsel is ordered to confirm that all parties subsequently named or appearing in any manner have been served copies of this Notice and Order. **Lead counsel shall appear in person for the CMC.** Failure of counsel to attend, including the insurance carrier representative¹, shall subject that party to sanctions and/or fees; regardless of the pendency of

¹ A representative of the insurance carrier for any insured party, who is **not** the carrier's outside counsel and who has decision making authority without further consultation, shall attend.

any undecided motions. Trial counsel shall meet no less than fourteen (14) days prior to the CMC to discuss and include in the Joint Case Management Report:

1. The name of lead trial counsel for each party, and the name of any unrepresented party;
2. A brief factual statement of the case;
3. Pleading issues, including service of process, venue, joinder of additional parties, theories of liability, damages claimed, and applicable defenses;
4. The identity and number of any motions to dismiss or other preliminary or pre-discovery motions which have been filed and the time period in which they shall be filed, briefed, and argued;
5. A discovery plan and schedule including the length of the discovery period, the anticipated number of fact and expert depositions to be permitted and, as appropriate, the length and sequence of such depositions;
6. Anticipated areas of any expert testimony, timing for identification of experts, responses to expert discovery, and exchange of expert reports;
7. An assessment of documents and electronically stored information likely to be the subject of discovery from parties and nonparties, including but not limited to issues related to the presentation of discoverable information, the form and formats in which that information is to be received and/or produced, and whether there are technological means which may render document discovery more manageable at an acceptable cost;
8. The advisability of using special master(s)* for fact finding, mediation, or discovery disputes, and such other matters to which the parties may agree;

* Counsel for the parties and any unrepresented party will be requested to execute a consent regarding the appointment of a special master. If a party does not agree, the court must be specifically advised in writing at the CMC. Thereafter, an objection will be considered untimely.

9. The time period after the close of discovery within which post-discovery dispositive motions shall be filed, briefed, and argued, and a tentative schedule for such activities;

10. The possibility of settlement and the timing of Alternative Dispute Resolution, including the selection of a mediator or arbitrator(s);

11. Whether or not a party or parties desire to use technologically advanced methods of presentation or court-reporting and, to that extent, a determination of the following:

(a) Fairness issues, including but not necessarily limited to use of such capabilities by some, but not all, of the parties and/or by parties, whose resources permit or require variations in the use of such capabilities;

(b) Issues related to compatibility of court and party facilities and equipment;

(c) Issues related to the use of demonstrative exhibits and any balancing of relevance and potential prejudice which may need to occur in connection with such exhibits;

(d) Such other issues related to the use of the court's and parties' special technological facilities as may be raised by any party or the court or its technological advisor, given the nature of the case and the resources of the parties.

12. An inquiry whether a party (and the identification of that party) claims fees and costs, and the basis for each claim.

13. A preliminary listing of the principal legal and factual issues which counsel believe will need to be decided in the case;

14. A preliminary listing of any legal principles and facts that are not in dispute;

15. A good faith estimate by counsel for each party of the length of time to try the case;

16. Whether a demand for jury trial has been made;

17. The deadline for filing motions in limine;

18. The track to which the case will be assigned; Expedite, Standard, or Complex.

Within ten (10) days of the meeting of trial counsel, but no less than four (4) days prior to the Case Management Conference, the parties shall file a Joint Case Management Report addressing the matters described in paragraphs 1 - 18 above and shall provide a courtesy copy to the court with a diskette, CD, or E-Mail attachment containing the report. The court's e-mail address is complxct@17th.flcourts.org.

All counsel and parties are responsible for filing a Joint Case Management Report in full compliance with this order. Plaintiff's counsel shall have the primary responsibility to coordinate the meeting of lead trial counsel and unrepresented parties in person, and the filing of the Joint Case Management Report. If counsel is unable to coordinate such compliance, he/she shall timely notify the court by written motion or request for a status conference.

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 court's ADA Coordinator, Broward County Courthouse, 201 S.E. 6th Street, Fort Lauderdale, FL 33301, 954.831.7743 within two (2) working days of your receipt of this order. If you are hearing or voice impaired, call 954.831.7743.

DONE AND ORDERED at Broward County, Florida this _____ day of _____, 2007.

CIRCUIT COURT JUDGE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished
via U. S. mail on this ____ day of _____, 2007, to:

Judicial Assistant

cc:
attylist