

**ALL PARTIES MUST READ CAREFULLY  
STRICT COMPLIANCE IS MANDATORY**

IN THE COUNTY COURT IN AND  
FOR BROWARD COUNTY, FLORIDA

CASE NO.: \_\_\_\_\_

JUDGE: \_\_\_\_\_

Plaintiff,

v.

UNIFORM ORDER SETTING  
PRETRIAL DEADLINES AND  
RELATED REQUIREMENTS  
(GENERAL COUNTY CIVIL  
CASE)

Defendant.

\_\_\_\_\_ /

PRETRIAL CONFERENCE: \_\_\_\_\_

CALENDAR CALL: \_\_\_\_\_

(If not checked, dates will be provided at a later time.)

PROJECTED TRIAL PERIOD: \_\_\_\_\_

*NOTE: A firm trial date will be issued when the case is at issue pursuant to Rule 1.400, Fla.R.Civ. P.*

NO CONTINUANCES will be granted without Court Order upon prior written motion setting forth extraordinary cause supported by client's written consent as required by Rule 2.545(e).

**BY ORDER OF THE COURT the following requirements are imposed on all parties:**

1. REQUIREMENTS OF PRETRIAL ORDER CANNOT BE WAIVED BY STIPULATION.
2. DISCOVERY must be served and completed no later than 240 days from the date of this Order.
3. EXPERT WITNESSES names and addresses shall be disclosed by the Plaintiff no later than 180 days from the date of this Order and by Defendant no later than 190 days from the date of this Order. No continuances will be granted because expert witnesses are unavailable for trial, because their testimony may be preserved by deposition.

### **PRETRIAL STIPULATION REQUIREMENTS**

4. A JOINT PRETRIAL STIPULATION must be filed (☐ and, if checked, a copy delivered to the Court) by all counsel of record no later than 250 days from the date of this Order. THE COURT DOES NOT ACCEPT UNILATERAL PRETRIAL STIPULATIONS. It is the responsibility of all parties to cooperate in good faith in preparation of the Joint Pretrial Stipulation. FAILURE TO COMPLY WITH THIS REQUIREMENT WILL RESULT IN SANCTIONS. Any Unilateral Pretrial Stipulation filed will be *sua sponte* STRICKEN and sanctions imposed on the party filing it. Failure to file a complete Joint Pretrial Stipulation, including witness lists, exhibit lists, jury instructions and verdict forms (if a jury trial has been timely demanded), will result in postponement of the trial, and/or sanctions including dismissal and/or default. If either party delays the preparation of the Joint Stipulation, a motion describing the delay must be immediately filed with the Clerk of Court and brought to the Court's attention prior to the deadline.

The Stipulation must be a **single, unified submission** and must contain the following information in separately numbered paragraphs or sections:

- a. Concise, impartial statement of the facts of case.
- b. List of any stipulated facts requiring no proof at trial.
- c. Statement of disputed issues of law and fact to be tried.

- d. Exhibits shall be listed by number and specific description on a separate schedule attached to the stipulation. Generic descriptions of exhibits will be stricken. Any evidentiary objections to any exhibit of an opposing party shall be delineated with specificity.
  - e. Witnesses', including "rebuttal" or "impeachment" witnesses, names and addresses shall be listed by name numerically on a separate schedule attached to the stipulation. Witnesses **MUST** be listed by actual NAME of the witness, and not designation (i.e., use of such designations as "Corporate Representative," "Records Custodian," and "Adjuster" standing alone is insufficient). All expert witnesses shall be so designated. Only those witnesses listed by NAME shall be permitted to testify at trial.
  - f. Agreed jury instructions and disputed jury instructions must be filed as part of the pretrial stipulation if a jury trial has been timely demanded. Disputed instructions shall be identified as to the party that proposed the instruction (☐ and, if checked, copies of any statutory citations and/or case law pertaining to the proposed instructions).
  - g. Agreed verdict form or disputed verdict forms must be filed as part of the pretrial stipulation if a jury trial has been timely demanded.
5. Failure to file a complete unified Pretrial Stipulation, including jury instructions and verdict forms if a jury trial has been timely demanded, will result in sanctions including dismissal and/or default.
6. At trial the parties shall be **STRICTLY LIMITED** to exhibits and witnesses disclosed and objections reserved in the pretrial stipulation. A party desiring to use an exhibit, examination or test result, or witness discovered after the deadlines set forth in this Order must immediately, upon discovery, notify all other counsel and the Court by written motion. Use of the exhibit, examination or test result, or witness may be allowed for extraordinary cause shown or to prevent manifest injustice.

## **MEDIATION AND ARBITRATION**

7. (☐ **Applicable if checked**): MEDIATION: Simultaneously herewith, the parties are being referred to mandatory mediation, which shall be completed within 270 days of the date of this Order.
8. (☐ **Applicable if checked**): ARBITRATION: Simultaneously herewith, the parties are being referred to mandatory non-binding arbitration, which shall be completed within 275 days of the date of this Order.
9. FAILURE TO MEDIATE OR ARBITRATE IN GOOD FAITH OR TO ATTEND THE PRETRIAL CONFERENCE MAY RESULT IN DISMISSAL OR DEFAULT.

## **REQUIREMENTS RELATED TO PRETRIAL CONFERENCE**

IF A PRETRIAL CONFERENCE DATE HAS BEEN SET IN THIS ORDER ABOVE, OR IF THIS BOX ☐ IS CHECKED, THE FOLLOWING PROVISIONS WILL APPLY:

10. MOTIONS FOR SUMMARY JUDGMENT will NOT be heard at the pretrial conference or at the time of trial (☐ but, if checked, must be heard no later than ten (10) days prior to the pretrial conference.)
11. (☐ **Applicable if checked**): Prior to the pretrial conference, the Court must have ruled on all motions previously filed, with the exception of motions in limine. In the absence of good cause for failure to set such motion for hearing, the Court may deem the motion waived or abandoned without further notice or hearing.
12. Motions in Limine must be heard at least five (5) days prior to the date of trial.

13. ALL *DAUBERT* related issues (Fla. Stat. §90.702) shall be noticed and heard – or agreed to by the parties – no later than two weeks before the pretrial conference. FAILURE TO DO SO SHALL CONSTITUTE A WAIVER AT TRIAL OR ANY *DAUBERT* RELATED EVIDENCE OBJECTION OR ISSUE.
14. ALL EXHIBITS MUST BE BROUGHT TO THE PRE-TRIAL CONFERENCE FOR PRE-MARKING. Any exhibit either party desires to use at trial exceeding four (4) pages in length must be consecutively paginated (by Bates-stamp method or otherwise). Any exhibit not meeting this requirement will not be allowed for use at trial.
15. At the time of the pretrial conference, the parties shall further be prepared to discuss all the items set forth in Fla. R. Civ. P. 1.200(b).

DONE AND ORDERED in chambers at Broward County, Florida on

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COUNTY COURT JUDGE

**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, Room 20140, 201 S.E. Sixth Street, Fort Lauderdale, Florida 33301, 954-831-7721 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.**

Copies furnished: