

PROCEDURES FOR CIVIL DIVISION 04

DIVISION 04 (formerly with retired Judge William W. Haury, Jr.) IS CURRENTLY UNASSIGNED

Hearings that are currently scheduled will be covered by other judges. If there are changes as to how a hearing is conducted, you will be notified via email. It is the Court's preference that any communication to this office during this time be via email.

Division email: div04@17th.flcourts.org

Phone: (954) 831-0608

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1. In Person/Zoom Hearings

The Court and its staff are working in person at the Courthouse. **The default location for all contested hearings is Courtroom 16165.** As a courtesy, the Court will permit attendance by Zoom at uniform motion calendar, case management hearings and calendar call without the necessity of a motion pursuant to *Fla. R. Gen. Prac. & Jud. Admin. 2.530*. **Continue to use this Court's ZOOM information unless otherwise instructed.**

If your hearing is by Zoom, please include the zoom instructions in your Notice of Hearing. Zoom instructions are attached as Exhibit A.

2. Motions - Page and Other Limitations.

(a) In a motion or other application for an order, the movant shall include a concise statement of the relief requested, a statement of the basis for the request and citation to legal authority in support of the request. Motions set on motion calendar shall not exceed four (4) pages and motions scheduled for special set hearing shall not exceed ten (10) pages. All motions and responses shall be double-spaced with margins not less than one inch. Font size shall not be less than 12 points.

(b) Each party opposing a motion or application may file a response that includes citation to legal authority in opposition to the request. A response to a motion calendar matter shall not exceed three (3) pages and a response to a special set matter shall not exceed seven (7) pages.

(c) No party shall file any reply or further memorandum directed to the motion or response allowed in (a) and (b) unless the Court grants leave.

(d) A motion requesting relief from the page limitation shall not exceed two (2) pages, specify what efforts have been made to comply with the page limitation, specify the length of the proposed filing and not include any attachments. Proposed orders on motions requesting leave to exceed the page limitation may be uploaded to CMS for the Court's consideration. Upload the motion as a supporting document for the Court's review. A hearing is not required on the Motion.

(e) The Court does not accept hard copies of motions and related papers. All motions and related papers must be uploaded as Supporting Documents to the hearing. Instructions for uploading Supporting Documents are attached as Exhibit B. Instructions for hyperlinking case law are attached as Exhibit C. If there is more than one item in your pdf, please "bookmark" your PDF submission.

3. Motions - Generally

(a) **Motions for Rehearing.** Please see AO 2022-5-Gen. Please email a copy to Division 04 when the Motion is e-filed. Do not set for hearing unless told to do so by the Court.

(b) **Motions to Continue Trial.** In accordance with the Uniform Pretrial Order, continuances will only be considered for good cause on written motion **prior to calendar call**. Also, please comply with *Fla. R. Civ. P. 1.460* and *Fla. R. Gen. Prac. & Jud. Adm. 2.545* (e) regarding party consent. If a case is settled, prior to the trial date, the scheduling party MUST immediately provide **email** notification to Division 04 and cancel all future hearings.

(c) **Motions to Withdraw.** If you do not have client consent in accordance with *Fla. R. Gen. Prac. & Jud. Adm. 2.505* please notice the client with both the motion and the notice of hearing. In the body of the proposed order granting withdrawal please include the client's address, email address and phone number.

(d) Motions for Summary Judgment – Generally. In accordance with *Fla. R. Civ. P.* 1.510 (a) a party moving for summary judgment **shall** identify each claim or defense - or part of each claim or defense on which summary judgment is sought.
MOTIONS FOR SUMMARY JUDGEMENT MUST BE HEARD PRIOR TO 45 DAYS BEFORE CALENDAR CALL.

Pursuant to the Florida Supreme Court's amendment to Florida Rule of Civil Procedure 1.510 effective May 1, 2021, parties moving for summary judgment must support or oppose the motion with a statement of material facts. In the interest of judicial economy, in the interest of proper and careful consideration of each party's statement of material facts, and in the interest of determining matters on summary judgment on the merits, the Court orders the parties to file any statements of material facts as follows:

1. The moving party shall file a statement of material facts as a separate filing from a motion for summary judgment.
2. The statement shall not exceed twelve (12) pages.
3. Each material fact in the statement that requires evidentiary support shall be set forth in an individually numbered paragraph and supported by a specific citation. This specific citation shall reference pages (and paragraph or line numbers, if applicable) of the cited exhibit(s). When a material fact requires evidentiary support, a general citation to an exhibit, without a page number or pin-cite, is not permitted.
4. Each exhibit referenced in the motion for summary judgment and/or in the statement of material facts must be filed on the docket. Exhibits which have already been filed on the docket need not be refiled. If a deposition transcript is referenced, a complete copy must be filed which includes all exhibits. Within twenty-four (24) hours of filing a motion for summary judgment, the movant shall separately file an index of the cited exhibits which names each exhibit and references the docket entry at which that exhibit may be found. (*Show name of document and date filed.)
5. The responding party may file an opposing statement of material facts which responds to the moving party's statement of material facts. Failure to respond may result in the court considering the moving party's facts as undisputed.
6. The opposing statement of material facts shall not exceed twelve (12) pages.
7. A responding party's opposing statement of material facts must specifically respond to each statement in the movant's statement by setting forth each of the individually numbered paragraphs contained in the movant's statement and after each paragraph, detail respondent's response or opposition.

By way of example:

Movant's Statement of Material Facts

1. Blackacre is a vacant property located at 123 Main Street. Exhibit A ¶ 1.

2. Sarah Jones owns Blackacre. Exhibit B ¶ 12.

Respondent's Opposing Statement of Material Facts

1. Blackacre is a vacant property located at 123 Main Street. Exhibit A ¶ 1.

Admitted that Blackacre is located at 123 Main Street. Exhibit A ¶ 1.

Denied that the property is vacant. Exhibit C at 5.

2. Sarah Jones owns Blackacre. Exhibit B ¶ 12.

Denied as phrased.

Admitted that the last recorded deed to Blackacre names Sarah Jones. Exhibit B ¶ 12.

8. Each exhibit referenced in the response to the motion for summary judgment and/or in the opposing statement of material facts must be filed on the docket. Exhibits which have already been filed on the docket need not be refiled. If a deposition transcript is relied upon, a complete copy must be filed which includes all exhibits. Within twenty-four (24) hours of filing a response to the motion for summary judgment, the responding party shall separately file an index of the cited exhibits which names each exhibit and references the docket entry at which that exhibit may be found. (*Show name of document and date filed.)

9. In the event that cross motions for summary judgment are filed, the Court may order the parties to submit a consolidated statement of material facts and responses as appropriate. If cross motions are anticipated, the parties may jointly move for an order to file consolidated statements prior to filing the motions for summary judgment.

10. A reply statement of facts is not permitted.

11. In the event the movant is unable to secure a hearing date consistent with the requirements set forth in the Uniform Trial Order, the Court will hear the motion during the week of calendar call. The responding party must submit a response no later than twenty (20) days prior to calendar call.

(e) Motions for Attorney Fees and Costs. In your Motion, please state whether or not entitlement has been agreed to or determined. Once entitlement has been determined, the Court will issue a scheduling order regarding the determination of the amount. See s. 4 (f). Please provide the JA with a copy of your Motion so that a Scheduling Order may be issued. Nominal costs items do not require a scheduling order.

(f) Motions for Default Final Judgment. A hearing may not be required if you have pled a specific dollar amount in the complaint. Please include a copy of that portion of the complaint that states the specific dollar amount with your AOI. If you are seeking any relief beyond well-pled liquidated damages a hearing is required, *Minkoff v. Caterpillar Financial Services Corp.*, 103 So.3d 1049 (Fla. 4th DCA 2013). Attorney fees and other unliquidated damages will require a hearing. Quiet Title and Partition actions require an affidavit or certified copy of the deed upon which you rely.

(g) Motions in Limine. The Court prefers to hear all Motions in Limine at the time of trial.

4. Hearings.

(a) Generally. All hearings must be coordinated with opposing counsel. Prior to setting a hearing on CMS, counsel must meet and confer regarding the matter to be set and the hearing date. The meet and conferral must be in person, by Zoom or by phone. Email conferral is not sufficient unless it results in an agreed order. Please schedule the motion on CMS. Upload the motion and all related papers as Supporting Documents to the hearing. *For motions to dismiss, include the complaint. For discovery matters, include the request if it is not part of the response.* If you fail to schedule the motion on CMS or fail to upload Supporting Documents, your hearing may be cancelled. Instructions for uploading Supporting Documents are attached as [Exhibit B](#).

(b) Uniform Motion Calendar (UMC). Please see [Local Rule 10A](#) with regard to UMC limitations and good faith certifications. The Court will commence its 8:45 a.m.

(1) The Court attempts to review each matter prior to the hearing. If your matter is resolved, please timely cancel your hearing online in the same manner in which it was set. When possible, please cancel by 3:00 p.m. on the day prior to the hearing. If you have any difficulty with Online Scheduling, please email calendar@17th.flcourts.org.

(2) Matters will be heard on a “first come, first served” basis.” If opposing counsel is not present, please call them.

(3) Parties may not add “add on” motions without Court approval, an update of the CMS scheduling information and notice to the opposing parties. No additional time will be allocated.

(c) Special Set Hearings – 15 and 30 minutes. Special Set Hearings for up to 30 minutes may be set online. Please do not contact the JA to set a hearing requiring 30 minutes or less or to confirm a hearing that has been set. If you would like an earlier date, please continue to check for cancellations.

(d) Special Set Hearings – Over 30 minutes. For hearings, over 30 minutes please e-mail Division 04 with:

- (1) The date of your conferral.
- (2) The manner of your conferral – in person or by phone.
- (3) Who participated in the conferral?
- (4) Whether the matter is time sensitive or is entitled to a statutory preference.
- (5) The amount of time requested by the moving party.
- (6) The amount of time requested by the non-moving party.
- (7) A list of preferred dates.
- (8) The correct email address for each attorney.
- (9) A copy of the motion with all attachments.

Once a date has been provided, an order will be issued. Please do not contact the JA to reconfirm the hearing.

- (e) **Cancellation of a Special Set Hearing.** In accordance with [Local Rule 10A](#) special set hearings may not be cancelled absent an agreement on the merits or court approval. If your matter is resolved, please cancel your hearing online in the same manner in which it was set. Please cancel as soon as possible so that someone else may use the time slot. Otherwise, please cancel by 3:00 p.m. on the day prior to the hearing.
- (f) **Attorney Fee Hearings.** An attorney fee hearing will not be scheduled until there has been compliance with the attorney fee scheduling order. (See s. 3 (e)).
- (g) **Emergency Hearings.** Please see [AO 2021-50-Civ.](#)
- (h) **Case Management Hearings.** The court will set a case management hearing to set a trial date for every case that does not have a trial order. The case management hearing may be cancelled once a trial order is entered. In addition to the Uniform Trial Order, this circuit now uses a Uniform Case Management Order that contains many of the deadlines previously contained in the Uniform Trial Order. Please review both orders.
- (i) **Private Judges.** If you are having trouble getting hearing time, you may wish to consider the use of a private judge (trial resolution judge) in accordance with s. 44.104, Fla. Stat. (1999). Unlike arbitration, you retain many of your appellate rights.

5. Scheduling a case for Trial. Most cases will be set for trial at the initial case management conference. Any disputes regarding a trial date are to be set on the Court's uniform motion calendar.

(a) **Calendar Call.** *Until this division is assigned to someone, calendar call to be conducted via e-calendar system. Parties will need to complete the form when it is emailed to them instead of appearing for calendar call via ZOOM. If you have not complied with the Uniform Trial Order regarding the requirements of Joint Pretrial Stipulation you may be invited to an in person status conference prior to trial to discuss your non-compliance.

(b) **Roll overs.** If your case is not reached on the trial docket, you will be placed on the next available trial docket. If you have not received such an order 10 days after the end of the trial period, email Division 04.

(c) **Settlement.** If your case settles, please email Division 04 immediately. Please file the closing paperwork promptly and cancel any future hearings.

(d) **Trial Pool.** In an effort to offer litigants with pending jury trials greater access to the Courts, litigants with pending cases in the Circuit Civil Division may place cases on the 17th Judicial Circuit's ready for trial docket (Trial Pool). If your case has not been reached on a prior trial docket you may be placed in the Trial Pool in addition to the Division 04 docket.

(e) **Private Judges.** If you wish to expedite your trial or if you have not been reached on a prior docket, you may wish to consider the use of a private judge (trial resolution judge) in accordance with s. 44.104, Fla. Stat. (1999). Unlike arbitration, you retain many of your appellate rights.

6. Special Set Hearing Dockets

July 13, 14, 15, 16, 2026

August 3, 4, 5, 6, 2026

August 31, 2026

September 1, 2, 3, 2026

September 28, 29, 30, 2026

October 1, 26, 27, 28, 29, 2026

November 23, 24, 25, 26, 2026

January 4, 5, 6 and 7, 2027

February 1, 2, 3 and 4, 2027

March 1, 2, 3 and 4, 2027

March 29, 30, 31 and April 1, 2027

May 3, 4, 5 and 6, 2027

June 1, 2 and 3, 2027

7. Trial Dockets

Calendar Call at 10:00 A.M.

July 13, 2026
August 3, 2026
August 31, 2026
September 28, 2026
October 26, 2026
November 23, 2026
January 4, 2027
February 1, 2027
March 1, 2027
March 29, 2027
May 3, 2027
June 1, 2027
July 6, 2027
August 2, 2027
August 30, 2027
September 27, 2027

Trial Period

July 20- 31, 2026
August 10- 28, 2026
September 7- 25, 2026
October 5- 23, 2026
November 2- 20, 2026
November 30- December 18, 2026
January 11 – 29, 2027
February 8 –28, 2027
March 8 - 25, 2027
April 5 –30, 2027
May 10 – 28, 2027
June 7 – 25, 2027
July 12 -30, 2027
August 9-27, 2027
September 6 – 24, 2027
October 4 – 22, 2027

8. Trial Evidence.

(a) Exhibits. Pursuant to the Uniform Pretrial Order, please review and mark all trial exhibits prior to the beginning of trial. The parties should provide all exhibits to the in-court clerk by 9:30 a.m. the morning of the first day of the trial. The in-court Clerk Court will provide the parties with exhibit stickers along with instructions on how to label the exhibits. Exhibits for identification are by letter. Exhibits in evidence are by number. The Court can address any evidentiary disputes prior to the commencement of trial.

(b) Deposition Designations. No later than **15 days prior to Calendar Call**, each party shall serve his, her or its designation of depositions, or portions of depositions, each intends to offer as testimony in his, her or its case in chief. No later than **5 prior to Calendar Call**, each opposing party shall serve his, her or its counter (or “fairness”) designations to portions of depositions designated, together with objections to the depositions, or portions thereof, originally designated. No later than Calendar Call, each party shall serve his, her or its objections to counter designations served by an opposing party.

(c) Video Depositions. Video depositions must be edited prior to trial. “Turning down” the audio to exclude testimony while the video is playing, will not be permitted.

For Information on how to operate the Evidence Presentation System in the courtroom, please review this video: <https://youtu.be/V8aqOA0fZ5g>

9. Court Holidays and Suspension Dates.

Labor Day	Monday, September 7, 2026
Yom Kippur	Monday, September 21, 2026
Veteran's Day	Wednesday, November 11, 2026
Thanksgiving Day	Thursday, November 27, 2026
Friday after Thanksgiving	Friday, November 28, 2026
Day before Christmas	Thursday, December 24, 2026
Christmas Day	Friday, December 25, 2026

10. Electronic Orders and Judgments.

(a) Generally.

- (1) Proposed and Agreed Orders may be uploaded via CMS. Please attach Supporting Documents as appropriate.
- (2) Do not duplicate content that is provided by "Insert Header" and "Insert Footer." This will be added by CMS.
- (3) Please do not submit duplicate orders by mail.

(b) Agreed Orders and Judgments. Only orders and judgments that are agreed to may be submitted as an agreed order or agreed judgment. Please reference the agreement in the body of the document.

(c) Orders and Judgments after Hearing. The order or judgment must contain the date of hearing and type of motion. If parties disagree regarding the language of the order, then upload competing orders to CMS at the same time. Please include a cover letter, as a Supporting Document, stating that there are competing orders.

(d) Local Rule 10A Discovery Orders. See [Local Rule 10A](#). If there has been a request for an extension of time, an *ex parte* motion may not be utilized. Attach the motion as a supporting document.

CMS will send the approved electronic order to the E-portal for service by the portal to all registered eservice parties' email addresses and any additional email addresses added manually by the filer or Judge. Electronic orders will not be mailed.

If you have additional questions, please see:

<http://www.17th.flcourts.org/online scheduling-help-page-2/>

If you have technical questions or need assistance with the Online Scheduling System or with the submission of e-orders, please e-mail the JIS Department at calendar@17th.flcourts.org

Additional Assistance can be found at:

http://www.17th.flcourts.org/images/stories/17th_pdf_files/AttorneyCMSManual.pdf

Please let us know if you have any suggestions.

(Revised August 7, 2026)

EXHIBIT A

Zoom Sign on Instructions

Please become familiar with Zoom prior to your hearing. See Zoom US.

Judge Haury is inviting you to a scheduled Zoom meeting. You may appear by phone or computer. Appearance by computer is preferred.

Topic: Judge Haury Docket **Join**

Zoom Meeting

<https://17thflcourts.zoom.us/j/726619094>

Meeting ID: 726 619 094

One tap mobile

+16468769923, 598494885# US (New York)

+13126266799, 598494885# US (Chicago)

Dial by your location

+1 646 876 9923 US (New York)

+1 312 626 6799 US (Chicago)

+1 253 215 8782 US

+1 301 715 8592 US

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

Find your local number: <https://17thflcourts.zoom.us/u/abHt4egTow>

EXHIBIT B

Uploading Supporting Documents via CMS

For hearings that have not been scheduled

- Log in to CMS (Court Management System)
- **Click** on New Event
- Select the Category Type
- Pick a date Both Parties agree on
- Enter Case Number – Make sure Case Style Matches
- Type in the Motion that is set to be Heard
- **Click** - Add Attachment
- Once the Attachment has uploaded- Select the Category the document falls under
- **Check off** both boxes for the Terms and Conditions listed at the Bottom

For hearings that have been scheduled

- Log in to CMS (Court Management System)
- **Click** on the Calendar Tab
- Select the Show Events by Case Tab
- Type in the case number
- Enter a date range for when the hearing was set or enter the exact date
- Choose the Event for which the Documents go
- Once the Event has been chosen, **Click** Add Attachment
- Select the File from the Computer drive (**DESKTOP or A SAVED FOLDER ON YOUR COMPUTER**)
- Please make sure all documents have been previously E filed
- Once the Document has been Selected, Select the **Document Category**
- **Click** Save

Once the Documents have been saved, it will reflect on the screen a PDF, Name of the Document and the Date the Document was attached
The Link Below Provides a Step-by-Step Tutorial

<https://www.youtube.com/watch?v=04eIG0CDPJs&feature=youtu.be>

EXHIBIT C

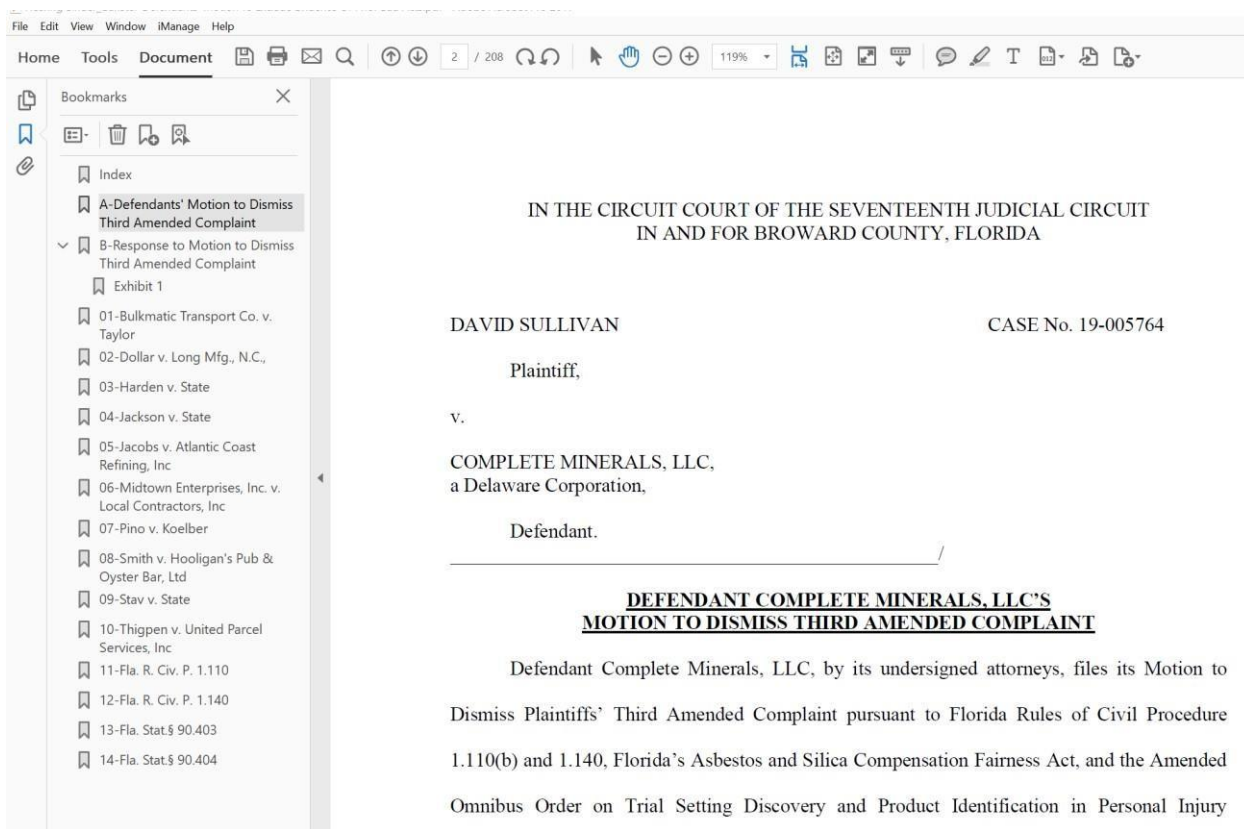
Hyperlinking Case Law & Supporting Documentation to Briefs

Preparation

- Create Combined PDF of brief, case law and supporting documents in order.
- Make sure all documents are OCR'd or you will not be able to create Hyperlinks.

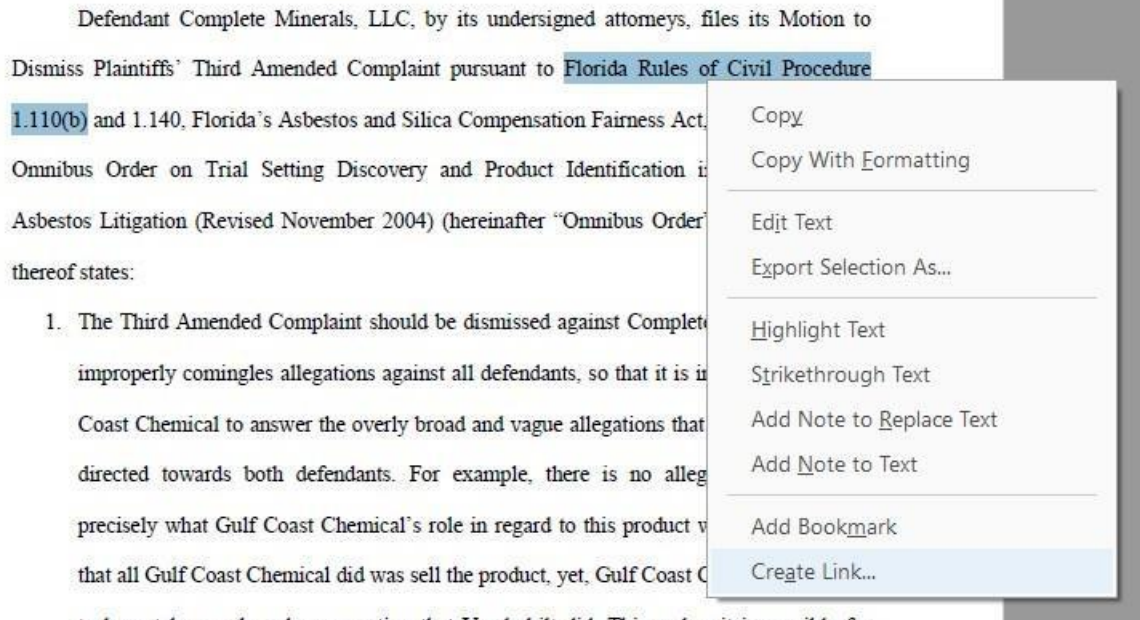
Bookmarking

- Bookmark the motion, cases and/or supporting documents

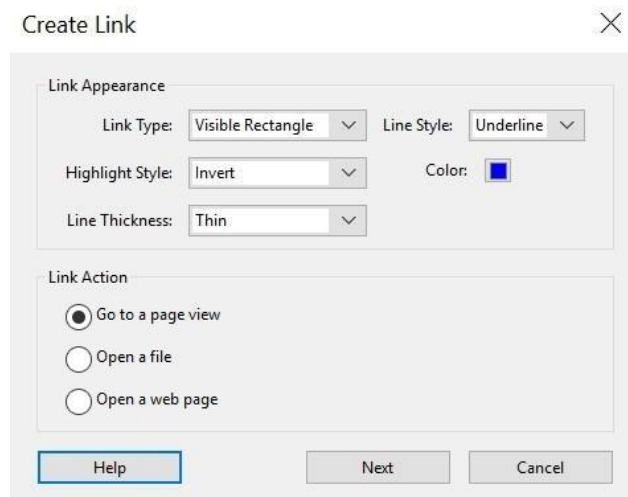


Creating the Hyperlink

- **Highlight the area** where you want the link to appear.
- Right mouse click and **select, Create Link**.



- **Choose** how you want your links to appear.
- **Under Link Action** you must choose **"Go to a page view."** ● Select **"Next."**



- **After "Create Link" Parameters are Set, Select the Bookmark** you want to associate with the Link

02-Dollar v. Long Mfg., N.C.,
 03-Harden v. State
 04-Jackson v. State
 05-Jacobs v. Atlantic Coast Refining, Inc.
 06-Midtown Enterprises, Inc. v. Local Contractors, Inc.
 07-Pino v. Koelber
 08-Smith v. Hooligan's Pub & Oyster Bar, Ltd
 09-Stav v. State
 10-Thigpen v. United Parcel Services, Inc.
11-Fla. R. Civ. P. 1.110
 12-Fla. R. Civ. P. 1.140
 13-Fla. Stat. § 90.403
 14-Fla. Stat. § 90.404

Create Go to View

Use the scrollbars, mouse, and zoom tools to select the target view, then press Set Link to create the link destination.

Set Link Cancel

MINERALS, LLC,
 oration,
 nt.

**DEFENDANT COMPLETE MINERALS, LLC'S
 MOTION TO DISMISS THIRD AMENDED COMPLAINT**

Defendant Complete Minerals, LLC, by its undersigned attorneys, files its Motion to Dismiss Plaintiffs' Third Amended Complaint pursuant to Florida Rules of Civil Procedure 1.110(b) and 1.140, Florida's Asbestos and Silica Compensation Fairness Act, and the Amended Omnibus Order on Trial Setting Discovery and Product Identification in Personal Injury

(This will take you directly to the Bookmarked page)

● Select Set Link

A-Defendants' Motion to Dismiss Third Amended Complaint
 B-Response to Motion to Dismiss Third Amended Complaint
 Exhibit 1
 01-Bulkmatic Transport Co. v. Taylor
 02-Dollar v. Long Mfg., N.C.,
 03-Harden v. State
 04-Jackson v. State
 05-Jacobs v. Atlantic Coast Refining, Inc.
 06-Midtown Enterprises, Inc. v. Local Contractors, Inc.
 07-Pino v. Koelber
 08-Smith v. Hooligan's Pub & Oyster Bar, Ltd
 09-Stav v. State
 10-Thigpen v. United Parcel Services, Inc.
11-Fla. R. Civ. P. 1.110
 12-Fla. R. Civ. P. 1.140

Create Go to View

Use the scrollbars, mouse, and zoom tools to select the target view, then press Set Link to create the link destination.

Set Link Cancel

West's Florida Statutes Annotated
 Florida Rules of Civil Procedure (Refs & Annos)

Fla.R.Civ.P. Rule 1.110

Rule 1.110. General Rules of Pleading

Currentness

ms of action and technical forms for seeking relief and of pleas, pl

(b) Claims for Relief. A pleading which sets forth a claim for relief, whether an original claim or a third-party claim must state a cause of action and shall contain (1) a short and plain statement of the claim which shows that the court's jurisdiction depends, unless the court already has jurisdiction and the claim needs no support it, (2) a short and plain statement of the ultimate facts showing that the pleader is entitled to judgment for the relief to which the pleader deems himself or herself entitled. Relief in the types may be demanded. Every complaint shall be considered to pray for general relief.

(c) The Answer. In the answer a pleader shall state in short and plain terms the pleader's defenses to each claim shall admit or deny the averments on which the adverse party relies. If the defendant is without knowledge or information sufficient to form a belief as to the truth or falsity of the averments, he or she so state and such statement shall operate as a denial. Denial shall fairly meet the substance of the averments.

● Completed Links will show up per your configuration.

Dismiss Plaintiffs' Third Amended Complaint pursuant to Florida Rules of Civil Procedure 1.110(b) and 1.140, Florida's Asbestos and Silica Compensation Fairness Act, and the Amended

- Close or leave Bookmarks open
- Save your document
(Courtesy of Karen Kaufman Castillo, FRP)