

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO: _____
SECTION: CA08
JUDGE: Robert Watson

Plaintiff(s)

vs.

Defendant(s)

_____ /

PRE-HEARING ORDER ON ATTORNEY'S FEES AND COSTS
[After Entitlement Determined]

Pending before this Court is (Plaintiff's/Defendant's) Motion regarding Attorney's Fees and Costs, filed _____. An order granting entitlement to attorney's fees was entered on _____. The parties must comply with the following prior to requesting a hearing:

1. **Within ten (10) days** of the entry of this order, the moving party shall make available and provide to the opposing party, a copy of all invoices, time records, and other supporting documentation for any cost requested and all attorney records evidencing services for which the party seeks payment. This includes an affidavit of movant's expert witnesses on attorney's fees. **Movant's failure to timely comply with this Order will result in a waiver of the fees and/or costs being requested and the entry of an order denying fees and costs.** Non-moving party shall file a Certification setting forth the Movant's failure to comply with this Order with a copy to movant, provide via courtMap (proposed order folder) a copy to the Court, together with an order (in Word format) denying attorney's fees and costs based on Movant's failure to timely comply with this Order.
2. **Within ten (10) days of the moving party's compliance with the preceding paragraph**, the non-moving party shall respond in writing to each item of cost and fees and simultaneously file a Notice of Compliance. This response shall state whether the charge is agreed or contested. For each contested item, the non-moving

party shall state the basis for objection and cite the supporting authority. **Any item not addressed shall be deemed agreed to and any objection thereto waived. A failure to timely object shall constitute a waiver and approval of all fees and costs requested.**

3. **Within ten (10) days of receipt of any objection**, the moving party shall respond in writing to each objection, stating whether said party concurs with the objection and if not, cite the contrary authority and simultaneously file a Notice of Compliance. **Failure of the moving party to timely respond to the objections shall result in the objection being sustained by the Court.**
4. In the event there is agreement to a particular cost item or fee request, but disagreement with the amount, the non-moving party shall state the objection and the amount believed to be reasonable.
5. **This matter shall NOT be set for hearing until the moving party files a Certification with the Court that this order has been complied with by all parties.** Once the Certification has been filed, a hearing may be requested. (Follow the instructions for requesting a special set hearing available on the judge's webpage at the 11th judicial circuit website.)
6. **Not later than five (5) days immediately preceding the hearing**, the parties shall meet and prepare two lists: one containing all non-waived disputed items, and the other containing a list of any stipulated items. The two lists shall be provided to the Court at the commencement of the hearing.
7. **No hearing is required if the moving party complies with this order, but no objections are TIMELY filed by the opposing party AND a certification to that effect is filed with a copy to the non-moving party. The order/final judgment may be submitted *ex-parte* together with a copy of the certification.**
8. The Statewide Uniform Guidelines for Taxation of Costs in Civil Actions shall be used in an attempt to resolve disputes over taxation of costs.
9. In addition to the waivers mentioned above, the Court may consider appropriate **sanctions** with regard to unreasonable requests for taxation of costs; requests for attorney's fees; objections thereto; and/or failure to comply with this Order.
10. In the event either party is unable to timely comply with the deadlines set forth in

this order, it/he/she may file a motion for extension of time setting forth with specificity the reason the additional time is needed and the amount of time being requested. In order for the motion to be considered by the Court it must be filed prior to the deadline for which the extension is sought.

11. Any party found to have submitted a Certification in bad faith; to have prepared a Certification setting forth false or misleading information; or to have prepared a Certification in a manner that evinces a careless disregard for the truth, may be subject to contempt of Court proceedings and shall be subject to any and all sanctions that may be imposed by this Court.
12. The parties may agree to extend the deadlines and if so, may submit an agreed order which provides for the new deadlines.
13. Upon request by either party or by the Court, this matter may be referred to mediation or arbitration.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida, this _____ day of _____, 20_____.

CIRCUIT COURT JUDGE

Copies furnished to: