

## **UNIFORM PRE-TRIAL PREPARATION ORDER**

At least 90 days before the scheduled trial, the Court will schedule a Final Case Management Conference and the Parties must file a Report pursuant to Rule 1.201(d). The following task(s) shall be completed, as indicated below, prior to the final case management conference:

1. At least ten (10) days before the Final Case Management Conference the parties shall confer to prepare a case status report in compliance with rule 1.201(d).
2. All exhibits must be disclosed to all Parties no later than thirty (30) days prior to the start of the Final Case Management Conference. Opposing counsel must identify, in writing, any specific objection to any exhibit(s). The objection to any exhibit must be submitted to opposing counsel and the Court in writing ten (10) days after exhibits are submitted.
3. Objections to admission of any exhibit under section 90.803(6)(c) or 90.902(11), Florida Statutes, are deemed waived if not timely made in accordance with section (2) above.
4. The Parties must meet and confer five (5) days prior to the final case management conference concerning the exhibit list and endeavor to resolve any objections and disputes.
5. All Parties must submit a witness list to all Parties no later than twenty (20) days before the end of the Fact Discovery cut-off date listed in the Court's operative Case Management Order. Opposing counsel must identify, in writing, the specific objection to any witness(es) (excluding *Daubert* objections which are governed by the operative Case Management and Trial Order). The objection to any witness(es) must be submitted to opposing counsel and the Court in writing ten (10) days prior to the start of Final Case Management Conference. The Parties must meet and confer five (5) days prior to the Final Case Management Conference concerning the Witness List and endeavor to resolve any disputes and objections thereto.
6. **All exhibits are to be single-sided and pre-marked and initialed and provided to clerk on the first day of trial.**

### **EXHIBIT IDENTIFICATION AND NUMBERING SYSTEM**

7. Plaintiff's admitted exhibits are marked into evidence with a numerical marking, (i.e., 1, 2, 3). Defendant's admitted exhibits are admitted alphabetically, by designation (A,B,C, etc).

8. Plaintiff's exhibits, if not yet deemed admitted, are marked for identification as 1a, 1b, 1c, and so forth, for identification. Defendant's exhibits likewise are marked for identification as, i.e., A1, A2, A3.
9. All parties shall bring their exhibits pre-marked accordingly and single-sided to court on the first day of trial with a corresponding witness and exhibit list.
10. No document or exhibit, except impeachment exhibits, may be offered into evidence unless it has been pre-marked.
11. Proposed jury instructions and verdict forms must be submitted to the Court **ten (10) days** prior to the final case management conference. All counsel must meet and confer (at least five (5) days prior to the Final Case Management Conference) concerning jury instructions/verdict form and endeavor to submit an agreed set of jury instructions to the Court.
12. Prior to the first day of trial, the parties shall submit to the Court, in Microsoft Word format, a single set of jury instructions, redlining any disputed instructions in "track changes" format. These shall be submitted, along with a verdict form, to the judicial assistant at [eacosta-serret@jud11.flcourts.org](mailto:eacosta-serret@jud11.flcourts.org). Failure to comply with this section waives any party's right to have the court substantively instruct the jury before opening statement.
13. The parties must identify any unique jury selection issues or concerns that the case presents and provide those concerns (in writing) to the Court, at the very least, within thirty (30) days prior to the start of Final Case Management Conference.
14. All parties must provide deposition designations (this includes video testimony) which they intend to read during the trial to opposing counsel twenty (20) days prior to the Final Case Management Conference. Cross designations must be provided five (5) days after receipt of original designations. Any objections to the proposed designations must be submitted—in writing—five (5) days prior to the start of Final Case Management Conference. The Parties must meet and confer concerning the designations and endeavor to resolve any disputes five (5) days prior to the Final Case Management Conference.
15. The Court will generally be in trial session from 10 a.m. until 6 p.m. All parties are responsible for having witnesses available and ready to testify until the 6 p.m. cutoff time. The Court generally recesses for lunch at 12:30 p.m. The lunch recess is for one (1) hour. The Court will resume the trial promptly at 1:30 p.m. Periodic breaks are taken throughout the day as requested or as needed.

16. Remote appearance of witnesses is governed by the Florida Rules of Judicial Administration. Counsel who intend to use any technology (video trial testimony, Zoom, etc.) during the trial must ensure that the technology device and necessary equipment and accessories are working properly prior to its use. The new courthouse is equipped with hybrid technology, but there are still occasional bugs and network issues.
17. Parties should be prepared to adapt the courtroom to hybrid use, if necessary. If counsel is unfamiliar with the technology, they must ensure a technician or other individual who is familiar with the technology is available to address any issues that may arise during the presentation. The parties must work together to share screens, monitors or projectors. **In addition, simply using a single laptop, Zoom account, and projection screen is insufficient to comply with remote witness procedures because the use of multiple devices causes feedback with the microphone system.** The party calling the witness is responsible for ensuring that the system used causes no feedback, that sufficient bandwidth exists, and that there are no technological interruptions.
18. Counsel must bring to the Court's attention, at the Final Case Management Conference, any personal, medical issues, childcare issues, trial conflicts or similar type concerns that may impact the 10 a.m. to 6 p.m. schedule of the Court.
19. All trial stipulations must be in writing and submitted to the Court two (2) business days prior to the Final Case Management Conference.
20. All motions in limine must be in writing and filed thirty (30) days in advance of the Final Case Management Conference.
21. All parties are responsible for preparing a joint Final Pre-Trial Report which includes a brief written synopsis detailing the factual and/or legal issues to be resolved by the Court and/or the jury.
22. Any Power Point presentations that include exhibits of any kind whatsoever intended to be used during opening statement (or oversized boards or exhibits which are not yet admitted into evidence) must be shared with opposing counsel prior to start of the trial.
23. If either party desires the Court to judicially notice any adjudicative facts pursuant to Florida Evidence Code sections 90.201 through 90.204, such request(s) shall be in writing and filed prior to the Final Case Management Conference. The request shall specify with particularity the specific facts sought to be recognized and provide any legal authorities in support.

24. The parties, in anticipation of the Final CMC, are required to file a status report containing the following information:

1. An enumerated listing of and/or courtesy copies of any remaining motions;
2. Courtesy copies of any motions in limine;
3. All materials associated with any pending discovery disputes;
4. An enumerated listing of all witnesses expected to testify;
5. An enumerated listing of all rebuttal witnesses expected to testify;
6. An enumerated listing of all expert witnesses expected to testify;
7. An enumerated listing of all exhibits;
8. An enumerated listing of deposition designations;
9. A brief description of any pending objections to exhibits;
10. A brief description of any stipulations by the parties;
11. A brief description of damages sought in the litigation;
12. Courtesy copies of any amendments to the pleadings;
13. A brief description of the settlement status of the litigation;
14. An estimate of the amount of trial time anticipated by the parties;
15. A brief description of any technology needs anticipated by the parties;
16. A brief description of any interpreter needs anticipated by the parties;
17. A brief description of any anticipated evidentiary issues in the litigation;
18. A brief description of any issue(s) that could prevent the case from being tried.