IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR

CHARLOTTE COUNTY, FLORIDA CIVIL ACTION

,

Plaintiff(s),

v. Case No.:

,

Defendant(s).

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/

**REPORT AND RECOMMENDATIONS OF THE GENERAL MAGISTRATE**

THIS CAUSE came before the undersigned General Magistrate, Robert F. Koch presiding, for a hearing on (FILL IN DATE AND UNDERLINE) on the following: (FILL IN MOTION AND UNDERLINE).

Present:  Plaintiff(s)  Defendant(s)

Counsel for Plaintiff(s)  Counsel for Defendant(s)

Court Reporter (CLICK BOX TO SELECT APPROPRIATE PARTY PRESENT)

The General Magistrate has jurisdiction over this proceeding pursuant to the Order of Referral dated (FILL IN DATE OF ORDER OF REFERRAL AND UNDERLINE). No objection to the Order of Referral to the General Magistrate was made.

Having reviewed the record and being otherwise fully advised in the premises, the General Magistrate makes the following Findings of Fact, Conclusions of Law, and Recommendations:

1. (FILL IN FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS)

**(CHOOSE ONLY ONE OF THE FOLLOWING TWO OPTIONS BELOW REGARDING EXCEPTIONS. DELETE THE OPTION NOT SELECTED)**

1. The parties **waive** the fifteen (15) day exceptions period pursuant to Rule 1.490 (i) of the *Florida Rules of Civil Procedure* and the procedures set forth in said Rule.

[OR]

1. The parties **retain** the exceptions period to the General Magistrate’s Report.

Within fifteen (15) days from the date that this Report and Recommendations of the General Magistrate is sent to persons set forth below, either party may file an exception to this Report and Recommendations of the General Magistrate pursuant to Rule 1.490 (i) of the *Florida Rules of Civil Procedure* and the procedures set forth in said Rule. This 15 days includes a 10 day period allowed for the parties to file such exceptions and a 5-day mail period. After 15 days, the Circuit Court will execute an Order adopting this Report and Recommendations of the General Magistrate and said Order shall be final at that time.

IT IS THEREFORE RECOMMENDED that (check one): (CLICK BOX TO SELECT)

A recommended order be entered by the Circuit Court.

the recommended order attached hereto be entered by the Circuit Court.

All above referenced deadline(s) shall be strictly adhered to by the parties absent further Order of the Court. This Order may not be modified except by leave of Court upon a showing of good cause. **Failure to abide by the requirements of this Order may result in sanctions by the Court, including but not limited to, an award of attorney’s fees, fines, the striking of pleadings, and/or dismissal of the action**.

**PLEASE READ CAREFULLY:**

**SHOULD YOU WISH TO SEEK REVIEW OF THE REPORT AND RECOMMENDATION MADE BY THE GENERAL MAGISTRATE, YOU MUST FILE EXCEPTIONS IN ACCORDANCE WITH RULE 1.490(i), *FLORIDA RULE OF CIVIL PROCEDURE*. YOU WILL BE REQUIRED TO PROVIDE THE COURT WITH A RECORD SUFFICIENT TO SUPPORT YOUR EXCEPTIONS, OR YOUR EXCEPTIONS WILL BE DENIED. A RECORD ORDINARILY INCLUDES A WRITTEN TRANSCRIPT OF ALL RELEVANT PROCEEDINGS. THE PERSON SEEKING REVIEW MUST HAVE THE TRANSCRIPT PREPARED IF NECESSARY FOR THE COURT’S REVIEW AND MUST FILE THE TRANSCRIPT WITHIN THE TIME PERIOD TO BE PROVIDED BY THE COURT, OR YOUR EXCEPTIONS MAY BE DENIED.**

The hearing before the General Magistrate was electronically recorded by the Court. A party may request an electronic certified copy of the proceeding on CD, at that party’s expense, and may then have the recording transcribed, at that party’s expense. Providing the Court with a copy of the CD, instead of a certified written transcript, is insufficient for review by the Court of exceptions. Media request forms, procedures, and fees, and a list of approved Transcriptionists are available on the Court’s website, [www.ca.cjis20.org](http://www.ca.cjis20.org), or by calling the Court’s Electronic Court Reporting Department at 239-533-8207. However, if the below box is checked, one of the parties elected to retain, at that party’s own expense, a live Court Reporter who was present for the purpose of creating the official record of the proceeding. Accordingly, any request for a transcript of the proceeding must be submitted to that Court Reporter.

A live Court Reporter created the official record of the proceeding.

WHEREFORE, the General Magistrate files this Report with the Clerk of the Circuit Court and recommends entry of an Order approving same.

**[PLEASE REMOVE ANY RED DIRECTIVES BEFORE SUBMITTING**

**AND REVIEW FORMATTING TO FIX ANY ODD, NATURAL PAGE BREAKS BY ADDING OR REMOVING ANY UNNECESSARY SPACES OR HARD RETURNS.]**