**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR CHARLOTTE COUNTY, FLORIDA CIVIL ACTION**

Plaintiff(s), CASE NO.:

vs.

Defendant(s),

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

**PRETRIAL CONFERENCE ORDER**

Trial docket beginning \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.

Present:

For Plaintiff: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

For Defendant: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Statement of Case:

2. Amendments to pleadings:

3. Issues (agreed to and disputed):

4. Number of peremptory challenges:

5. Admissions to avoid unnecessary proof:

6. Witnesses:

 Counsel and all *pro se* parties shall list all witnesses they actually intend to call at trial from the approved Case Management Plan, if any, including a concise statement of the facts about which the witness will testify, by the \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, and will be limited thereby except for good cause.

The parties shall assure the availability of their witnesses for the entire trial period or to otherwise preserve their testimony for trial as provided by the Florida Rules of Civil Procedure. If a party expects to call an expert or treating physician to testify at trial, it is strongly suggested that such witness be deposed by video and the testimony transcribed. The Court may not be in a position to allow a witness to testify “out of order,” over objection, or to take a recess or adjust its schedule for the convenience of such a witness.

7. Attached,if applicable, is a list of itemized statement of special damages claimed by any party.

8. Any problems or special needs for the attendance of witnesses:

9. Stipulations (checked):

\_\_\_\_\_\_\_\_ a) Less than 6 jurors if one becomes incapacitated

 b) Use of expert testimony any time

 c) Waive X-ray technicians

 d) Waive records custodians

 e) Waive photographers

 f) Copies of ordinances or foreign laws

 g) Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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10. Necessity of taking judicial notice:

11. Length of trial:

12. List Pending Motions:

13. Settlement possibilities:

14. Trial Date. Trial period beginning on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. All parties shall be ready for trial at 9:00 a.m. on the first day of said trial period. Parties not represented by an attorney should call the court (941-637-2257) at least a week before the above trial period to obtain an exact time and date of trial. Generally the order in which cases are to be tried is determined by the judge no earlier than the Final Pretrial Conference.

15. List the *Fabre*, 623 So. 2d 1182 (Fla. 1993), Defendant(s) disclosed in accordance with Paragraph 5B of the Order Setting Jury/Non-Jury Trial that Defendant actually intends to request be placed on the verdict form.

16. If depositions or video depositions of witnesses will be used in accordance with applicable law, are there stipulations as to which portions will be shown to the jury? \_\_\_\_\_ YES \_\_\_\_\_ NO

If there are disagreements regarding the admissibility of any portion of the depositions, such matters must be resolved by hearing, if necessary, at least **7 days prior** to the date of trial.

17. Agreed Jury instructions and verdict forms shall be submitted to the Court on the Friday before the trial is scheduled to begin by Plaintiff’s counsel. Jury Instructions shall be submitted in both in typed and with electronic version in Microsoft Word. The submitted instructions and verdict forms shall be based upon the Florida Standard Jury Instructions and verdict forms with appropriate adaptations for the specifics of the case. This paragraph shall not foreclose the right of each party to request modifications of the jury instructions and/or verdict form(s). Email the jury instructions to lportercivil@ca.cjis20.org.

18. Attachedis alist of all photographs, documents and exhibits. Counsel shall confer prior to trial and initial those agreed to be admitted in evidence. All exhibits shall be pre-marked. Parties must contact the Clerk of Court’s Office at 941-637-2214 at least three (3) business days prior to trial to ensure that all exhibits will be properly marked prior to commencement of trial. To avoid the loss and disintegration of component parts of pages, all composite exhibits shall be satisfactorily marked and/or bound before presentation to the Court. Exhibits to be introduced which are larger than 8 1/2 x 11" may be used at trial, but if practicable, same shall be reduced to 8 1/2 x 11", and the reduced size copy shall be the exhibit retained by the Clerk in the court file. The oversized exhibits, if reduced, shall be returned to counsel at the close of the trial.

19. If a party desires that a proceeding be reported by a court reporter, it is the responsibility of that party to secure such services.

20. Failure to comply with the requirements of this Order may subject the party and/or counsel to appropriate sanctions, including attorneys’ fees, fines, striking of pleadings, and/or dismissal of this action.

***[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.]***

**THE UNDERSIGNED HEREBY AGREE TO AND SUBMIT THE FOREGOING PRETRIAL CONFERENCE ORDER TO THE COURT FOR APPROVAL.**

PLAINTIFF’S COUNSEL DEFENDANT’S COUNSEL

Address: Address:

Telephone #: Telephone #:

Fax #: Fax #:

E-Mail: E-Mail:

Florida Bar #: Florida Bar #:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Or, if *pro se*, PLAINTIFF Or, if *pro se*, DEFENDANT

Address: Address:

Telephone #: Telephone #:

**THE COURT HEREBY APPROVES AND ADOPTS THE FOREGOING PRE-TRIAL CONFERENCE ORDER AND THE PARTIES ARE ORDERED TO COMPLY WITH IT.**

**DONE AND ORDERED** in Chambers, at Punta Gorda, Charlotte County, Florida on this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Hon. LISA S. PORTER, Circuit 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 Jon Embury, Administrative Services Manager, whose office is located at 350 E. Marion Avenue, Punta Gorda, Florida 33950, and whose telephone number is (941) 637-2110, 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.**

**CERTIFICATE OF SERVICE**

Pursuant to Rule 1.080 of the Florida Rules of Civil Procedure, conformed copies have been mailed on this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_, 20\_\_, to the following:

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Judicial Assistant