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

Plaintiff(s),

vs. CASE NO.

Defendant(s).

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ORDER SCHEDULING CASE MANAGEMENT CONFERENCE

The Court has scheduled a case management conference in this case pursuant to Florida Rule of Civil Procedure 1.200(a), and Florida Rule of Judicial Administration 2.545 on **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**at \_\_\_ am/pm at the Glades County Courthouse, 500 Avenue J, Moore Haven, Florida 33471.

1. **Prior to Case Management Conference.** Each counsel **must** confer with his or her client(s) prior to the case management conference in order to determine the client’s position with respect to settlement, pleading, admissions, and other matters that require the consent of the client. Counsel shall be prepared to make the representation that this conference has taken place. Trial counsel and those parties who are not represented by counsel (hereinafter referred to as “pro se” parties) **must** confer not later than **14 calendar days** prior to the case management conference and discuss agreements on as many of the issues listed below in paragraph 2.A. as possible. Trial counsel and/or the parties shall be prepared to discuss the possibility of settlement of the case. Trial counsel and pro se parties shall work together to agree on the provisions of an agreed **Case Management Plan**, in the form attached hereto, and shall be prepared to discuss any unresolved issues at the Case Management Conference.

**2**. **Case Management Conference.** Trial counsel and pro se parties **must** personally appear at the case management conference. Those attending **shall bring their personal calendars** to the case management conference. Those attending **must** have a thorough knowledge of the case, be prepared to discuss it and make stipulations and admissions when appropriate.

* 1. Those attending **must** be prepared to discuss:
     1. Scheduling or rescheduling deadlines for the service of motions, pleadings and other papers. This shall include adding, dropping or amending claims or defenses and adding or dropping parties.
     2. Determining the existence of issues that may be severed and/or resolved pre-trial.
     3. Limiting, scheduling, ordering and expediting discovery. This shall include the desirability of creating document depositories and addressing the handling of privilege and confidentiality claims.
     4. Scheduling hearings and/or deadlines for motions (including motions addressed to the pleadings, motions to declare the case “complex” pursuant to Florida Rule of Civil Procedure 1.201(a) and motions for summary judgment), mediation, alternative dispute resolution and other conferences.
     5. Requiring interim status reports, and determining other matters that may aid in the disposition of the action and resolution of pretrial motions, discovery and preparation for mediation, alternative dispute resolution and trial.
     6. Determining whether issues can be narrowed by the filing of preliminary stipulations.
     7. Organizing counsel to include the designation of lead counsel and liaison counsel, the role of other counsel, and responsibility for the preparation and maintenance of a service list.
     8. Establishing procedures for addressing emergencies, including the use of telephone conferences.
     9. Identifying present or potential future related litigation, including the transfer and consolidation of intra-circuit civil cases; civil cases in other circuits; and/or criminal proceedings and investigations.
     10. If the case is filed as a class action: establishing a procedure, discovery schedule and deadlines, and a hearing date to determine the issue of class certification, to include a briefing schedule, exchange of witness and exhibit lists, and clarifying disputed issues of fact and law.
     11. Estimating the time needed for trial and setting a tentative trial date.
     12. Any of the issues set forth in Florida Rule of Civil Procedure 1.200(a).
  2. At the case management conference, those attending shall prepare an **“Agreed Case Management Plan,”** in the form attached hereto, in stipulation form, signed by counsel and any pro se parties and shall submit it for approval by the Court.
  3. The proceedings at the case management conference shall be informal and will not be reported unless requested by a participant who makes prior arrangements with the court reporter.

1. **Alternative to attending Case Management Conference.** As an alternative to attending a case management conference, counsel and pro se parties may comply with this order by submitting an **“Agreed Case Management Plan,”** in the form attached hereto along with pre-addressed stamped envelopes and copies for all parties, to the Judicial Assistant for the Honorable Jack Lundy Glades County Courthouse, P.O. Box 579, Moore Haven, FL 33471. The Plan must be signed by all counsel and pro se parties and received by the Judicial Assistant not later than **7 calendar days** prior to the conference. The Plan will also be considered timely if the parties submit a courtesy copy of the signed original to the Judicial Assistant via facsimile (863) 946-2917 or e-mail transmission to **kbrantley@ca.cjis20.org** no later than 7 calendar days prior to the conference, **and** if the original is mailed or hand delivered on the same day. Upon written approval by the Court, the original Plan will be electronically filed via e-Portal, a copy served on all counsel and/or parties of record and the case management conference shall be cancelled. If the Court does not approve of the Plan, the case management conference will **not** be cancelled.
2. **Case Resolution Prior to Case Management Conference:** In the event all issues in this case are resolved so that the case is ready for final disposition prior to the Case Management Conference date scheduled herein, the Plaintiff shall have the responsibility to contact the Court in writing to notify the Court that all issues are resolved and the Case Management Conference should be cancelled. This written notification shall be made no later than 7 days prior to the Case Management Conference and shall include a proposed Order Cancelling the Case Management Conference. Once the Order Cancelling the Case Management Conference is signed, the Judicial Assistant will then electronically file the original Order, via the e-Portal. Please provide copies of the Order and addressed, stamped envelopes for those not receiving notification through the e-Portal.
3. **Sanctions.** Counsel and/or parties are hereby cautioned that misconduct, failure to attend the case management conference or noncompliance with the terms of this order may result in sanctions by the Court. Sanctions may include the assessment of special costs, including attorney’s fees, the striking of pleadings and/or the dismissal of the action.

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| **DONE AND ORDERED** in Chambers, Moore Haven, Glades County, Florida on this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_\_,    **Jack Lundy, Acting Circuit Judge** |

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| **CERTIFICATE OF SERVICE**  **I HEREBY CERTIFY** that a true and correct copy of the above and foregoing has been provided this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_\_, to the following named parties:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Kelly Brantley, Judicial Assistant  **cc.** |

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| **Americans with Disabilities Act**  **“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 Dawn Oliver, Administrative Services Manager, whose office is located at the Hendry County Courthouse, 25 E. Hickpochee Avenue, LaBelle, Florida 33935, and whose telephone number is (863)-675-5374, 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.”** |

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

Plaintiff(s),

vs. CASE NO.

Defendant(s).

/

**AGREED CASE MANAGEMENT PLAN**

The parties hereby submit to the following Agreed Case Management Plan to the Court for approval:

**Case Deadlines and Events**

|  |  |
| --- | --- |
| ***DEADLINE OR EVENT*** | ***AGREED DATE*** |
| **Statement of Facts and/or Counterclaim(s)**  Plaintiff(s):  Defendant(s): |  |
| **Identification of facts the parties believe to be disputed**  Plaintiff(s):  Defendant(s): |  |
| **Identification of the issues of law to be decided by the Court** |  |
| **Motions to Add Parties or to Amend Pleadings** |  |
| **Disclosure of Fact Witnesses**  Plaintiff(s):  Defendant(s): |  |

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| ***DEADLINE OR EVENT*** | ***AGREED DATE*** |
| **Disclosure of Expert Witnesses**  Plaintiff(s):  Defendant(s): |  |
| **Filing of Exhibit List**  Plaintiff(s):  Defendant(s): |  |
| **Discovery Deadline for Fact Witnesses**  (All discovery must be commenced in time to be completed before this date)  Plaintiff(s):  Defendant(s): |  |
| **Expert Opinion Available to Opposing Party**  (It is recommended that last exchange occur 4 months before trial and  1 – 2 months before discovery deadline to allow time for expert depositions. This does not require a written report unless otherwise required by the rule.)  Plaintiff(s):  Defendant(s): |  |
| **Discovery Deadline for Expert Witnesses**  Plaintiff(s):  Defendant(s): |  |
| **Completion of Alternative Dispute Resolution (ADR)**  (Mediation is mandatory unless the parties agree to another form of ADR.)  Deadline:  Type of ADR: |  |
| **Deadline for Filing Dispositive Motions**  (Court requires filing not later than 10 days prior to the pretrial management conference) |  |
| **Pretrial Management Conference Date** | An Order will be issued by the Court scheduling the Pretrial Management Conference. |
| **Other Deadlines or Events** |  |

**TRIAL INFORMATION**

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| **Estimated Date the Case Will Be Prepared To Go To Trial**  **(**If counsel and/or unrepresented parties do not agree on the estimated date on which the case will be prepared to go to trial, the Court may on its own motion set the case for trial) |  |
| **Estimated Length of Trial** *(specify the number of trial days):* |  |
| **Identification of Jury or Non-Jury Trial** |  |

The above-referenced schedule of deadlines will be strictly adhered to by the parties unless a change is otherwise agreed to by the parties and approved by the Court. The Court will consider a request to approve changes to these deadlines upon a showing of good cause by either party based on matters arising from an emergency nature or unavailability. However, once the Agreed Case Management Plan has been approved by the Court, procrastination in completing discovery or the unavailability of counsel will not constitute good cause for a change to these deadlines. The failure to abide by these deadlines may result in sanctions by the Court, including the award of attorney’s fees, the striking of pleadings, and/or a dismissal of the action.

*Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*Signature, address and telephone number of Counsel and Unrepresented Parties. Counsel must state Fl Bar number:*

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**ORDER APPROVING AGREED CASE MANAGEMENT PLAN**

**THE COURT** having reviewed the preceding Agreed Case Management Plan and finding it to be satisfactory, it is

**ORDERED AND ADJUDGED** that the Agreed Case management Plan is hereby **APPROVED AND ALL PARTIES SHALL ABIDE BY THE TERMS HEREIN.**

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| **DONE AND ORDERED** in Chambers, Moore Haven, Glades County, Florida on this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_\_,    **Jack Lundy, Acting Circuit Judge** |

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| **CERTIFICATE OF SERVICE**  **I HEREBY CERTIFY** that a true and correct copy of the above and foregoing has been provided this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_\_, to the following named parties:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Kelly Brantley, Judicial Assistant  **cc.** |