

\_\_\_\_\_,  
Plaintiff,

vs.

CASE NO:

\_\_\_\_\_,  
Defendant(s).

\_\_\_\_\_ /

**PRETRIAL CONFERENCE ORDER**  
**(NON-JURY TRIAL)**

Present:

\_\_\_\_\_ for Plaintiff

\_\_\_\_\_ for Defendant

1. Statement of Case and Claims:
2. Amendments to pleadings:
3. Issues (agreed to and disputed):
4. Admissions to avoid unnecessary proof:
5. Witnesses:

Counsel and all pro-se parties shall list all witnesses they actually intend to call at trial from the list of witnesses disclosed pursuant to the Case Management Plan and Order, if applicable, or from the list of witnesses disclosed pursuant to the Order Setting Non-Jury and Pretrial Conference, 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.

6. **Attached** is an itemized statement of special damages (if any) claimed by any party.

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

8. Stipulations (checked):

- N/A 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Necessity of taking judicial notice:

10. Length of trial:

11. List pending motions (including all motions in limine)

12. Settlement possibilities:

13. Parties must be ready to go to trial on day #1 of the trial period, regardless of position on the docket. The trial docket will proceed numerically in the order established in the docket, unless judicial time utilization can be enhanced or scheduling conflicts occur. In such instances, the sequencing of cases for trial may be adjusted by the Court.

14. Counsel are strongly encouraged to have available at trial video depositions of experts, even if counsel intends to call the expert as a live witness. Do not expect the Court to grant a continuance of the trial if an expert is unexpectedly not available when a video deposition has not been taken of that expert.

15. **Attached** is a list 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 using numbers for Plaintiff’s Exhibits and numbers for Defendant’s Exhibits(e.g., Def. Ex. 7). Upon request the Clerk will provide exhibit labels prior to commencement of the trial. To avoid the loss and disintegration of component parts or 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. If counsel intend to use any audio, video or computer equipment to present any testimony or exhibit, it is the responsibility of counsel to contact Court Administration in advance of the trial if any technological assistance is required.

16. If a party desires that a proceeding be reported by a court reporter, it is the responsibility of that party to secure such services. Also, if a witness needs the services of an interpreter, counsel calling the witness shall be responsible for obtaining the services of an interpreter.

17. 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.

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

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PLAINTIFF'S COUNSEL

Address

Telephone #

Fax #

E-Mail Address:

Florida Bar #

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DEFENDANT'S COUNSEL

Address

Telephone #

Fax #

E-Mail Address:

Florida Bar #

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PLAINTIFF(if pro-se)

Address

Telephone #

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DEFENDANT(if pro-se)

Address

Telephone #

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

**DONE AND ORDERED** in Chambers, Collier County, Florida on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Frederick R. Hardt, Circuit Court Judge

**CERTIFICATE OF SERVICE**

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

By: \_\_\_\_\_  
Judicial Assistant

**If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact John Carter, Administrative Services Manager whose office is located at 3315 East Tamiami Trail, Suite 501, Naples, Florida, 34112, and whose telephone number is (239)252-8800 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearances is less than 7 days; if you are hearing or voice impaired, call 711.**