

RACHEL M. SADOFF

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Clerk of Courts, Brevard County
Pgs:24

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
OF FLORIDA

ADMINISTRATIVE ORDER NO:

24-06 2ND AMENDED

SUPERSEDES 24-06 AMENDED

**IN RE: CIVIL CASE MANAGEMENT AND IMPLEMENTATION OF CIVIL
DIFFERENTIATED CASE MANAGEMENT**

WHEREAS, Chief Justice Charles T. Canady issued AOSC20-23 which provides for case management of all civil cases and requiring the judicial circuits to evaluate the type of cases and to set forth case management deadlines in each case according to the guidelines provided herein.

WHEREAS, the Florida Rules of General Practice and Judicial Administration, Rule 2.250, establishes reasonable time standards for the completion of cases in the trial courts.

WHEREAS, the procedures provided herein will improve the Court's ability as required by the Florida Rules of General Practice and Judicial Administration, Rule 2.545, to provide effective, early, and continuous control of case processing to ensure fair and prompt resolution of disputes consistent with the nature and complexity of the case.

WHEREAS, the procedures provided herein are intended to assist the participants to proactively manage time and resources during the litigation process, reduce the need for hearing time, avoid the unnecessary stress that arises during final trial preparations, and reduce the number of trial cases continued by identifying known deadlines and expectations.

WHEREAS, the Supreme Court directed the Chief Judge of each circuit to issue an Administrative Order requiring a Case Management Order to be issued in every applicable civil case to establish a projected trial date in addition to various deadlines leading up to trial.

In accordance with the authority vested in the Chief Judge by Article V, section 2(d) of the Florida Constitution, sections 40.001, 43.26, and 905.01, Florida Statutes and Florida Rules of General Practice and Judicial Administration, Rule 2.215, it is hereby

ORDER AND ADJUDGED as follows:

1. This Administrative Order governs all Civil cases filed both in Circuit and County Courts that follow the Florida Rules of Civil Procedure. However, the following case types are exceptions and are not subject to the provisions of this Administrative Order:
 - a. Actions subject to section 51.011, Florida Statutes, providing a summary procedure;
 - b. Actions subject to the following rules:
 - i. Probate;
 - ii. Florida Family Law Rules;
 - iii. Small Claims Rules;
 - c. Forfeiture cases;
 - d. Cases designated as complex cases under Fla. R. Civ. P. 1.201;
 - e. Eviction cases;
 - f. Unlawful detainer cases;
 - g. Foreign Judgment Cases;
 - h. Approval of minor settlements.

2. Plaintiff shall, at the onset and based on the definitions outlined below, determine the applicable form of Case Management Plan and Order (*i.e.*, Ex. A - Brevard Streamlined; Ex. B - Brevard General; Ex. C - Seminole Streamlined; Ex. D - Seminole General). Plaintiff shall file the appropriate form in the case at the same time as the civil cover sheet, complaint, and summons(es) to be served upon all defendants.
 - a. **Streamlined Track:** will be Circuit Civil Non-Jury (if agreed to), all Foreclosure cases, County Civil Jury and Non-Jury cases, and Small Claims cases where the Rules of Civil Procedure have been invoked and will be on track for disposition 12 months from the date of service of initial process on the last defendant or 120 days after the commencement of the action, whichever occurs first. Streamlined cases should have few parties and witnesses; few anticipated pretrial motions, minimal discovery and document production; trial length less than 2 days. (*Use Form Ex. A for Brevard Co. or Form Ex. C for Seminole Co.*)
 - b. **General Track:** will be Circuit Civil Jury cases, Circuit Civil Non-Jury cases and will be on track for disposition 18 months from the date of service of initial process on the last defendant or 120 days after the commencement of the action, whichever occurs first. (*Use Form Ex. B for Brevard or Form Ex. D for Seminole*)
 - c. **Complex cases:** Parties seeking to have a case designated as complex shall initially file and serve the General Track Case Management Plan and Order and thereafter comply with Fla. R. Civ. P. 1.21(a) by filing an appropriate motion to declare the case complex.

3. For all Circuit Civil and County Civil cases subject to this A.O., the Clerk of Court is directed not to issue summons in any case in which the form Case Management Plan and Order has not been filed with the complaint. The Clerk of Court shall notify the filer that the summons is not being accepted for filing until the form Case Management Plan and Order has been filed.
4. The Case Management Plan and Order specifies the following, at a minimum:
 - a. Deadline for requests for the addition of new parties or amendments to the pleadings;
 - b. Deadline for fact witnesses and exhibit disclosure from all parties;
 - c. Deadline for disclosure of Plaintiff's expert witnesses;
 - d. Deadline for disclosure of Defendant's expert witnesses;
 - e. Deadline for completion of all fact and expert discovery, including all Motions to Compel being filed and heard;
 - f. Deadline for all objections to the pleadings and all pre-trial motions filed and heard;
 - g. Deadline for all dispositive motions (including Daubert Motions) filed and heard;
 - h. Deadline for mediation;
 - i. Projected date of trial.
5. After the last defendant has been served, the parties shall meet, confer, and agree on the deadlines in the applicable Case Management Plan and Order prior to the expiration of 30 days from service of process of the last defendant. The Case Management Plan and Order form must be signed by all parties who have not been dropped or defaulted¹ and submitted per the assigned division's instructions found on the circuit's website. Electronic versions of Exhibits A, B, C, and D will be available on the circuit's website.
6. If the parties fail to properly submit an agreed-upon Case Management Plan and Order by 30 days after the service of the last defendant, the Court will *sua sponte* issue a Case Management Order.
7. Amendments to any Case Management Order will be ruled on by the assigned judge upon either party filing a proper motion.

¹ After service of process has been perfected and the Plaintiff obtains a Clerk's Default, the Case Management Plan and Order can be submitted without the signature of the Defaulted Party, if the Plaintiff indicates on the signature line for the defaulted party, that a default has been obtained.

8. A Trial Order will be issued providing the specific trial period 120 days prior to the projected trial date. The Trial Order will provide:
 - a. The trial period;
 - b. The pre-trial date and time;
 - c. The timeframe for the parties to meet and exchange of exhibits;
 - d. The pre-trial statement requirements and required filing date;
 - e. Any other trial requirements set forth by the assigned judge.

9. If either party determines that the case is ready to be tried before the projected trial date, a Notice or Motion for Trial may be filed and the Court can offer dates sooner than the projected date.

10. Small Claims Cases: immediately upon the Rules of Civil Procedure being invoked, the Court will *sua sponte* issue a Streamlined Case Management Plan and Order (**Brevard: Form Ex. A, Seminole: Form Ex. C**).

11. Judges within the Eighteenth Judicial Circuit are directed to strictly comply with Fla. R. Gen. Prac. & Jud. Admin 2.545(a), (b), and (c), which respectively require judges to conclude litigation as soon as it is reasonable and justly possible to do so, to take charge of all cases at an early stage, and to control the progress of the case thereafter until it is determined, and to apply a firm continuance policy allowing continuances only for good cause shown.

12. This Administrative Order shall be subject to modification, addition, and extension as the evolving and fluid nature of the facts and circumstances may require.

DONE AND ORDERED on this 16th day of April, 2024.


 CHARLIE CRAWFORD
 CHIEF JUDGE

Distribution:
 All Circuit and County Judges (Brevard and Seminole Counties)
 Court Administration (Brevard and Seminole Counties)
 Clerk of Court (Brevard and Seminole Counties)
 Public Defender (Brevard and Seminole Counties)
 State Attorney (Brevard and Seminole Counties)
 Sheriff (Brevard and Seminole Counties)
 Bar Association (Brevard and Seminole Counties)
 Law Library (Brevard and Seminole Counties)

STATE OF FLORIDA, BREVARD COUNTY
 I HEREBY CERTIFY that the foregoing is a true
 copy of the original filed in this office and may
 contain redactions as required by law.

RACHEL M. SADOFF, Clerk of Court

Date 4/24/24 By K Reynolds
 Deputy Clerk



II. Initial Meet/Confer, Discovery Disclosure and Service of Process

<p>Perfect Service of Process</p>	<p>120 days after filing complaint</p>
<p>Filing of Agreed Case Management Plan/Order</p>	<p>30 days after last DF served</p>
<p>Initial Discovery Disclosure Irrespective if any formal discovery requests are made), each party shall provide the other party(ies) the following initial discovery disclosures unless privileged or protected:</p> <ul style="list-style-type: none"> i) name, address(if known), telephone number and email address for each individual likely to have discoverable information (including the subject matter of that information) that the disclosing party may use to support its claims and defenses; ii) a copy; or description by category and location of all documents, ESI and tangible things that the disclosing party may use to support its claims and defenses; iii) a computation for each category of damages claimed by the disclosing party and a copy of any supporting documentation or evidence; iv) a copy of any insurance policy or agreement that may provide coverage indemnification for the disclosing party if found liable for a possible judgment in the action. <p><i>Unacceptable Excuses:</i> A party must make its initial disclosures based on the information then reasonably available to it. A party is not excused from making its disclosures because it has not fully investigated the case or because it challenges the sufficiency of another party's disclosures or because another party has not made its disclosures.</p> <p><i>This requirement is in place to help facilitate the litigation process, more readily identify needs of the case, and more efficiently engage in the discovery process to ensure timely compliance with case management deadlines.</i></p>	<p>45 days after CMPO filed</p> <p><i>(Notice of Compliance shall be filed 5 days thereafter)</i></p>

III. Deadlines and Cutoff Dates³ (Calculated as days before Pretrial Conference Date)

³ When calculating deadlines based on the Pre-Trial Conference date, if the deadline falls on a weekend or holiday, the deadline will be taken as the last business day prior to the deadline date. *E.g.*, if 10 days prior to the Pre-Trial Conference date falls on Saturday, March 13th, the deadline for mediation to be completed would be Friday, March 12th (not Monday, March 15th).

<u>Deadlines and Cutoff Dates</u>	<u>Number of Days before Pretrial Conference</u>
<p>1) Plaintiff and Defendant(s) are to disclose potential fact witnesses (including treating physicians and/or non-retained experts)</p> <p><i>Exchanged between the parties to facilitate pre-trial discovery, but not filed with the Court. The formal Fact Witness List will be filed in accordance with Para. 9 below.</i></p>	<p>120 days prior to PTC date</p> <p><i>(Notice of Compliance shall be filed 5 days thereafter)</i></p>
<p>2) Filing of Plaintiff Expert Witness List</p> <p>Regardless if Defendant propounds expert discovery, Plaintiff will disclose: Names/address; area of expertise; subject matter of expected testimony; substance of facts and opinions; summary of grounds on which opinion is based; and at least 2 available dates for deposition.</p> <p>Each party is limited to one expert per specialty. No other expert testimony should be permitted at trial.</p>	<p>120 days prior to PTC date</p>
<p>3) Filing of Defendant Expert Witness List</p> <p>Regardless if Plaintiff propounds expert discovery, Defendant will disclose: Names/address; area of expertise; subject matter of expected testimony; substance of facts and opinions; summary of grounds on which opinion is based; and at least 2 available dates for deposition.</p> <p>Each party is limited to one expert per specialty. No other expert testimony should be permitted at trial.</p>	<p>100 days prior to PTC date</p>
<p>4) Motions to amend pleadings or add new parties to be <u>filed</u> and served</p>	<p>80 days prior to PTC date</p>
<p>5) Formal identification of <i>Fabre</i> Defendants</p>	<p>80 days prior to PTC date</p>
<p>6) Filing of Plaintiff Rebuttal Expert Witness List (if applicable)</p> <p>Regardless if Defendant propounds expert discovery, Plaintiff will disclose: Names/address; area of expertise; subject matter of expected testimony; substance of facts and opinions; summary of grounds on which opinion is based; and at least 2 available dates for deposition.</p> <p>Each party is limited to one expert per specialty. No other expert testimony should be permitted at trial.</p>	<p>80 days prior to PTC date</p>
<p>7) Mediator and Mediation Date <u>agreed to</u></p>	<p>80 days prior to PTC date</p>

<p>8) All CME Rule 1.360 exams completed (counsel should schedule the CME as soon as Plaintiff discloses expert witnesses and not upon approaching this deadline)</p>	<p>80 days prior to PTC date</p>
<p>9) <u>Filing</u> of Plaintiff and Defendant Fact Witness List and Exhibit List</p>	<p>60 days prior to PTC date</p>
<p>10) Disclosure of post-accident surveillance to be used at trial <i>Exchanged between the parties to facilitate pre-trial discovery, but not filed with the Court</i></p>	<p>60 days prior to PTC date <i>(Notice of Compliance shall be filed 5 days thereafter)</i></p>
<p>11) CME Report prepared and provided to Plaintiff (If Defendant intends to call CME Dr to testify, DF shall provide 3 available depo dates within 10 days after report)</p>	<p>50 days prior to PTC date</p>
<p>12) All dispositive motions and summary judgment motions <u>filed</u> and served</p>	<p>50 days prior to PTC date</p>
<p>13) All expert discovery and responses completed by</p>	<p>45 days prior to PTC date</p>
<p>14) All Daubert motions <u>filed</u> and served</p>	<p>40 days prior to PTC date</p>
<p>15) Completion of Fact Discovery (including Depositions)</p>	<p>20 days prior to PTC date</p>
<p>16) All Daubert Motions/Expert Objections noticed and heard (Failure to do so shall constitute a waiver at Trial of any Daubert related evidence objection or issue) Responsibility for scheduling the hearing shall be upon the party filing the Motion or Objection.</p>	<p>20 days prior to PTC date</p>
<p>17) Disclosure of all <i>Northrup</i> impeachment materials</p>	<p>20 days prior to PTC date</p>
<p>18) Plaintiff and Defendant final disclosure of all trial witnesses (Counsel should designate which of previously disclosed witnesses they intend to call at trial) <i>Exchanged between the parties to facilitate trial preparation, but not filed with the Court</i></p>	<p>15 days prior to PTC date <i>(Notice of Compliance shall be filed 5 days thereafter)</i></p>

<p>19) Plaintiff and Defendant disclosure of all trial exhibits (Counsel should designate which of previously disclosed exhibits they intend to use at trial)</p> <p><i>Exchanged between the parties to facilitate trial preparation, but not filed with the Court</i></p>	<p>15 days prior to PTC date</p> <p><i>(Notice of Compliance shall be filed 5 days thereafter)</i></p>
<p>20) All motions for summary judgment heard. (Responsibility for scheduling hearing shall be upon the party filing the Motion or Objection)</p>	<p>15 days prior to PTC date</p>
<p>21) All Motions noticed and heard (except <i>Daubert</i> motions, motion for summary judgment, and motions in limine)</p>	<p>10 days prior to PTC date</p>
<p>22) Plaintiff/Defendant exchange and <u>filing</u> of Notice of Depo Designations</p>	<p>10 days prior to PTC date</p>
<p>23) Plaintiff/Defendant exchange and <u>filing</u> of objections and counter-designations to depo designations</p>	<p>7 days prior to PTC date</p>
<p>24) Mediation Completed</p>	<p>7 days prior to PTC date</p>
<p>25) Attorney Meet/Exchange/Inspect/Pretrial Stipulation Exchange/examine pre-trial exhibits, discuss settlement; determine stipulated facts and issues; prepare pre-trial statement/stipulation; complete pre-trial checklist and proposed pre-trial conference order; confirm witnesses and contact info; review video depo and exhibits to be used at trial; agree on jury instructions, verdict form, and exhibit logs</p>	<p>5 days prior to PTC date</p>
<p>26) Plaintiff/Defendant objections to depo designations noticed and heard*</p>	<p>*5 days prior to trial</p>
<p>27) All Motions in limine noticed and heard</p>	<p>*5 days prior to trial</p>

WE HEREBY CERTIFY AS FOLLOWS:

1. All parties have met, reviewed and conferred regarding all dates in the Case Management Plan and agree to comply therewith;
2. All parties have reviewed and will comply with the assigned judge's policies and procedures;
3. With respect to all pretrial motion practice and objections, we acknowledge that: Within sixty (60) days from the date of filing of a Motion, the movant must coordinate with opposing counsel and either submit a proposed Agreed Order on the Motion or schedule a hearing and file a Notice of Hearing; otherwise, the Motion/objection is deemed abandoned and denied. The non-Movant shall timely submit a proposed Order in the event the Motion/objection

is deemed abandoned and denied.

Signature of Counsel Plaintiff(s)/
Pro Se Litigant

Signature of Counsel for Defendant(s)/
Pro Se Litigant

Printed Name of Counsel/Pro Litigant
Florida Bar No.: If Applicable
Email Address

Printed Name of Counsel/Pro Litigant
Florida Bar No.: If Applicable
Email Address

ORDER APPROVING AGREED CASE MANAGEMENT PLAN

THIS CAUSE having come before the Court upon the parties stipulation setting the trial period for this matter, and acknowledging the Court's deadlines and cutoff dates; or on the parties failure to timely comply with Order AOSC20-23 of the Florida Supreme Court, and AO 24-06 Amended, of the Eighteenth Judicial Circuit, it is hereby:

ORDERED that the preceding trial period, pretrial conference date, deadlines and cutoff dates are applicable to this action, and that same will be strictly applied by the Court:

1. COMPLIANCE WITH THIS CASE MANAGEMENT PLAN/ORDER: The parties shall strictly comply with the terms of this Case Management Plan/Order unless otherwise ordered by the Court. **FAILURE TO COMPLY WITH ALL REQUIREMENTS OF THIS ORDER WILL RESULT IN THE IMPOSITION OF SANCTIONS.**

2. ADDITIONAL EIGHTEENTH CIRCUIT AND DIVISION SPECIFIC GUIDELINES: All counsel and unrepresented parties shall familiarize themselves and comply with the requirements of the following: (i) **Amended Administrative Order Establishing the Eighteenth Judicial Circuit Courtroom Decorum Policy (AO 09-06)**; and (ii) **any division-specific guidelines and policies that may be applicable.**

3. MODIFICATION OF THIS ORDER: The parties may not, individually or by agreement, alter or extend the deadlines in this Order, or waive any of the provisions of this Order. The provisions of this Order may be modified only upon motion/stipulation and Court order in accordance with applicable law.

4. MOTIONS OR NOTICES FOR TRIAL: Parties may file a Motion or Notice for Trial if they are ready for trial more than 120 days prior to the above-projected trial date. The Plaintiff shall confer with opposing counsel/party regarding the anticipated length of the trial and file a Motion or Notice for Trial. The Plaintiff shall forward a copy of the Motion or Notice for Trial to the Case Manager at the email address noted on the Eighteenth Judicial Circuit website.

5. **DISCOVERY:** All counsel and unrepresented parties shall familiarize themselves with each Division's Policies and Procedures, the current edition of the Florida Handbook on Civil Discovery Practice and seek to resolve discovery issues without court intervention whenever possible.

6. **SERVICE OF THIS ORDER:** Counsel is ordered to promptly serve and file proof with the Clerk, no more than five (5) business days from the date of this Order that all *pro se* parties, subsequently named or appearing herein, have been served copies of this Order. In the event a party is unrepresented and has not designated an email address for purposes of electronic service, counsel for Plaintiff shall be responsible for serving this Order and all future orders of the Court via a non-electronic means (U.S. mail, Federal Express or the equivalent) and shall file a Certificate of Service with the Court indicating who was served, the date of service, and the method of service (including any address or email used) within three (3) business days. If Plaintiff is unrepresented, Counsel for the Defendant shall have this same obligation. If all parties are unrepresented, the Plaintiff shall provide stamped addressed envelopes to the Court with submission of this and any other proposed Order.

DONE AND ORDERED this ____ day of _____, _____, in Brevard County, Florida.

CIRCUIT JUDGE

A true and correct copy of the foregoing was distributed to all parties by filing and service via the eportal to all attorney(s)/interested parties identified on the eportal Electronic Service List.


 **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 the ADA Coordinator in your county 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.**

EXHIBIT B

(Form Ex. B)

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD COUNTY, FLORIDA

_____,
Plaintiff,
vs
_____,
Defendant.
_____ /

CASE NO:

AGREED CASE MANAGEMENT PLAN AND ORDER
(GENERAL)

Pursuant to the dictates of Administrative Order AOSC20-23 of the Florida Supreme Court, and AO 24-06 Amended Eighteenth Judicial Circuit, The parties hereby submit the following Agreed Case Management Plan and Order to the Court for Approval:

Case Management Plan¹

Note: *Although not all categories of deadlines will apply to every type of case, the deadline information should not be deleted from the Case Management Plan, and no deadlines should be changed absent Court order. The only information the parties must agree on and fill in is under Section I.*

I. Trial Period Start Date and Pretrial Conference Date*

<i>*Not to Exceed 18 months from the date of service of initial process on the last defendant or 120 days after the commencement of the action, whichever occurs first.</i> <i>*See 18th Circuit website for docket start dates and corresponding Pre-Trial Conference dates</i>	Trial Period Starting:	_____ (Mo/Day/Yr)
	Pre-Trial Conference date:	_____ (Mo/Day/Yr)
	Jury Trial or Non-Jury Trial:	_____
	Number of Trial Days:	_____ Days

¹ **Abbreviations:** Plaintiff=PL; Defendant=DF; Case Management Plan/Order=CMPO; Pretrial Conference-PTC

	<i>Final Date will be confirmed by Order Setting: Trial, Pre-Trial Conference, and Directing Pre-Trial Compliance</i>
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II. Initial Meet/Confer, Discovery Disclosure and Service of Process

Perfect Service of Process:	120 days after filing complaint
<u>Filing of Agreed Case Management Plan/Order</u>	30 days after last DF served
<p>Initial Discovery Disclosure Irrespective if any formal discovery requests are made), each party shall provide the other party(ies) the following initial discovery disclosures unless privileged or protected:</p> <ul style="list-style-type: none"> i) name, address(if known), telephone number and email address for each individual likely to have discoverable information (including the subject matter of that information) that the disclosing party may use to support its claims and defenses; ii) a copy; or description by category and location of all documents, ESI and tangible things that the disclosing party may use to support its claims and defenses; iii) a computation for each category of damages claimed by the disclosing party and a copy of any supporting documentation or evidence; iv) a copy of any insurance policy or agreement that may provide coverage indemnification for the disclosing party if found liable for a possible judgment in the action. <p><i>Unacceptable Excuses.</i> A party must make its initial disclosures based on the information then reasonably available to it. A party is not excused from making its disclosures because it has not fully investigated the case or because it challenges the sufficiency of another party's disclosures or because another party has not made its disclosures.</p> <p><i>This requirement is in place to help facilitate the litigation process, more readily identify needs of the case, and more efficiently engage in the discovery process to ensure timely compliance with case management deadlines.</i></p>	<p>45 days after CMPO filed</p> <p><i>(Notice of Compliance shall be filed 5 days thereafter)</i></p>

III. Deadlines and Cutoff Dates²
(Calculated as days before Pretrial Conference Date)

<u>Deadlines and Cutoff Dates</u>	<u>Number of Days before Pretrial Conference</u>
<p>1) Plaintiff and Defendant(s) are to disclose potential fact witnesses (including treating physicians and/or non-retained experts)</p> <p><i>Exchanged between the parties to facilitate pre-trial discovery, but not filed with the Court. The formal Fact Witness List will be filed in accordance with Para. 10 below.</i></p>	<p>180 days prior to PTC date</p> <p><i>(Notice of Compliance shall be filed 5 days thereafter)</i></p>
<p>2) Disclosure and <u>filing</u> of Plaintiff Expert Witness List</p> <p>Regardless if Defendant propounds expert discovery, Plaintiff will disclose: Names/address; area of expertise; subject matter of expected testimony; substance of facts and opinions; summary of grounds on which opinion is based; and at least 2 available dates for deposition.</p> <p>Each party is limited to one expert per specialty. No other expert testimony should be permitted at trial.</p>	<p>180 days prior to PTC date</p>
<p>3) Disclosure and <u>filing</u> of Defendant Expert Witness List</p> <p>Regardless if Plaintiff propounds expert discovery, Defendant will disclose: Names/address; area of expertise; subject matter of expected testimony; substance of facts and opinions; summary of grounds on which opinion is based; and at least 2 available dates for deposition.</p> <p>Each party is limited to one expert per specialty. No other expert testimony should be permitted at trial.</p>	<p>150 days prior to PTC date</p>
<p>4) Motions to amend pleadings or add new parties, <u>filed</u> and served</p>	<p>120 days prior to PTC date</p>
<p>5) Formal identification of <i>Fabre</i> Defendants</p>	<p>120 days prior to PTC date</p>

² When calculating deadlines based on the Pre-Trial Conference date, if the deadline falls on a weekend or holiday, the deadline will be taken as the last business day prior to the deadline date. *E.g.*, if 10 days prior to the Pre-Trial Conference date falls on Saturday, March 13th, the deadline for mediation to be completed would be Friday, March 12th (*not* Monday, March 15th).

<p>6) Filing of Plaintiff Rebuttal Experts Regardless if Defendant propounds expert discovery, Plaintiff will disclose: Names/address; area of expertise; subject matter of expected testimony; substance of facts and opinions; summary of grounds on which opinion is based; and at least 2 available dates for deposition.</p> <p>Each party is limited to one expert per specialty. No other expert testimony should be permitted at trial.</p>	<p>120 days prior to PTC date</p>
<p>7) Mediator and Mediation Date <u>agreed to</u></p>	<p>120 days prior to PTC date</p>
<p>8) All CME Rule 1.360 exams completed (counsel should schedule the CME as soon as Plaintiff discloses expert witnesses and not upon approaching this deadline).</p>	<p>120 days prior to PTC date</p>
<p>9) CME Report prepared and provided to Plaintiff (If Defendant intends to call CME Dr to testify, DF shall provide 3 available depo dates within 10 days after report)</p>	<p>90 days prior to PTC date</p>
<p>10) Filing of Plaintiff and Defendant Fact Witness List and Exhibit List</p>	<p>90 days prior to PTC date</p>
<p>11) Disclosure of post-accident surveillance to be used at trial</p> <p><i>Exchanged between the parties to facilitate pre-trial discovery, but not filed with the Court</i></p>	<p>90 days prior to PTC date</p> <p><i>(Notice of Compliance shall be filed 5 days thereafter)</i></p>
<p>12) All dispositive motions and summary judgment motions <u>filed</u> and served</p>	<p>75 days prior to PTC date</p>
<p>13) All expert discovery and responses completed by</p>	<p>70 days prior to PTC date</p>
<p>14) All Daubert motions <u>filed</u> and served</p>	<p>60 days prior to PTC date</p>
<p>15) Completion of Fact Discovery (including Depositions)</p>	<p>30 days prior to PTC date</p>
<p>16) All Daubert Motions/Expert Objections noticed and heard (Failure to do so shall constitute a waiver at Trial of any Daubert related evidence objection or issue, absent court order).</p> <p>Responsibility for scheduling the hearing shall be upon the party filing the Motion or Objection.</p>	<p>30 days prior to PTC date</p>

17) Disclosure of all <i>Northrup</i> impeachment materials	30 days prior to PTC date
18) Plaintiff and Defendant final disclosure of all trial witnesses (Counsel should designate which of previously disclosed witnesses they intend to call at trial) <i>Exchanged between the parties to facilitate trial preparation, but not filed with the Court</i>	20 days prior to PTC date <i>(Notice of Compliance shall be filed 5 days thereafter)</i>
19) Plaintiff and Defendant Disclosure of all trial exhibits (Counsel should designate which of previously disclosed exhibits they intend to use at trial) <i>Exchanged between the parties to facilitate trial preparation, but not filed with the Court</i>	20 days prior to PTC date <i>(Notice of Compliance shall be filed 5 days thereafter)</i>
20) All motions for summary judgment heard (Responsibility for scheduling hearing shall be upon the party filing the Motion or Objection).	20 days prior to PTC date
21) All Motions noticed and heard (except <i>Daubert</i> motions, motion for summary judgment, and motions in limine)	15 days prior to PTC date
22) Plaintiff/Defendant exchange and <u>filing</u> of Notice of Depo Designations	15 days prior to PTC date
23) Plaintiff/Defendant exchange and <u>filing</u> of objections and counter-designations to depo designations	10 days prior to PTC date
24) Mediation Completed	10 days prior to PTC date
25) Attorney Meet/Exchange/Inspect/Pretrial Stipulation Exchange/examine pre-trial exhibits, discuss settlement; determine stipulated facts and issues; prepare pre-trial statement/stipulation; complete pre-trial checklist and proposed pre-trial conference order; confirm witnesses and contact info; review video depo and exhibits to be used at trial; agree on jury instructions, verdict form, and exhibit logs	7 days prior to PTC date
26) Plaintiff/Defendant objections to depo designations notice and heard	5 days prior to trial
27) All Motions in limine noticed and heard	5 days prior to trial

WE HEREBY CERTIFY AS FOLLOWS:

- 1. All parties have met, reviewed and conferred regarding all dates in the Case**

- Management Plan and agree to comply therewith;**
2. **All parties have reviewed and will comply with the assigned judge's policies and procedures;**
 3. **With respect to all pretrial motion practice and objections, we acknowledge that: Within sixty (60) days from the date of filing of a Motion, the movant must coordinate with opposing counsel and either submit a proposed Agreed Order on the Motion or schedule a hearing and file a Notice of Hearing; otherwise, the Motion/objection is deemed abandoned and denied. The non-Movant shall timely submit a proposed Order in the event the Motion/objection is deemed abandoned and denied.**

 Signature of Counsel Plaintiff(s)/
 Pro Se Litigant

 Signature of Counsel for Defendant(s)/
 Pro Se Litigant

 Printed Name of Counsel/Pro Litigant
 Florida Bar No.: If Applicable
 Email Address

 Printed Name of Counsel/Pro Litigant
 Florida Bar No.: If Applicable
 Email Address

ORDER APPROVING AGREED CASE MANAGEMENT PLAN

THIS CAUSE having come before the Court upon the parties stipulation setting the trial period for this matter, and acknowledging the Court's deadlines and cutoff dates; or on the parties failure to timely comply with Order AOSC20-23 of the Florida Supreme Court, and AO 24-06, Amended of the Eighteenth Judicial Circuit, it is hereby:

ORDERED that the preceding trial period, pretrial conference date, deadlines and cutoff dates are applicable to this action, and that same will be strictly applied by the Court:

1. **COMPLIANCE WITH THIS CASE MANAGEMENT PLAN/ORDER:** The parties shall strictly comply with the terms of this Case Management Plan/Order unless otherwise ordered by the Court. **FAILURE TO COMPLY WITH ALL REQUIREMENTS OF THIS ORDER WILL RESULT IN THE IMPOSITION OF SANCTIONS.**

2. **ADDITIONAL EIGHTEENTH CIRCUIT AND DIVISION SPECIFIC GUIDELINES:** All counsel and unrepresented parties shall familiarize themselves and comply with the requirements of the following: (i) **Amended Administrative Order Establishing the Eighteenth Judicial Circuit Courtroom Decorum Policy (AO 09-06)**; and (ii) **any division-specific guidelines and policies that may be applicable.**

3. **MODIFICATION OF THIS ORDER:** The parties may not, individually or by agreement, alter or extend the deadlines in this Order, or waive any of the provisions of this Order. The provisions of this Order may be modified only upon motion/stipulation and Court order in accordance with applicable law.

4. **MOTIONS OR NOTICES FOR TRIAL:** Parties may file a Motion or Notice for Trial if they are ready for trial more than 120 days prior to the above-projected trial date. The Plaintiff shall confer with opposing counsel/party regarding the anticipated length of the trial and file a Motion or Notice for Trial. The Plaintiff shall forward a copy of the Motion or Notice for Trial to the Case Manager at the email address noted on the Eighteenth Judicial Circuit website.

5. **DISCOVERY:** All counsel and unrepresented parties shall familiarize themselves with each Division's Policies and Procedures, the current edition of the Florida Handbook on Civil Discovery Practice and seek to resolve discovery issues without court intervention whenever possible.

6. **SERVICE OF THIS ORDER:** Counsel is ordered to promptly serve and file proof with the Clerk, no more than five (5) business days from the date of this Order that all *pro se* parties, subsequently named or appearing herein, have been served copies of this Order. In the event a party is unrepresented and has not designated an email address for purposes of electronic service, counsel for Plaintiff shall be responsible for serving this Order and all future orders of the Court via a non-electronic means (U.S. mail, Federal Express or the equivalent) and shall file a Certificate of Service with the Court indicating who was served, the date of service, and the method of service (including any address or email used) within three (3) business days. If Plaintiff is unrepresented, Counsel for the Defendant shall have this same obligation. If all parties are unrepresented, the Plaintiff shall provide stamped addressed envelopes to the Court with submission of this and any other proposed Order.

DONE AND ORDERED this ____ day of _____, _____, in Brevard County, Florida.

CIRCUIT JUDGE

A true and correct copy of the foregoing was distributed to all parties by filing and service via the eportal to all attorney(s)/interested parties identified on the eportal Electronic Service List.


 **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 the ADA Coordinator in your county 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.**

EXHIBIT C
(Form Ex. C)
 IN THE EIGHTEENTH JUDICIAL CIRCUIT
 IN AND FOR SEMINOLE COUNTY, FLORIDA

CASE NO:

 Plaintiff(s),

v.

 Defendant(s).

_____ /

AGREED CASE MANAGEMENT PLAN AND ORDER
(STREAMLINED)

According to the dictates of Administrative Order AOSC20-23 of the Florida Supreme Court and AO 24-06, 2nd Amended Eighteenth Judicial Circuit, it is hereby stated that the parties hereby submit this agreed upon Case Management Plan for approval by the Court. All parties have signed the plan to indicate that the deadlines and projected trial date have been stipulated.

CASE MANAGEMENT PLAN

Projected trial date, jury or non-jury indication, and estimated length of trial <i>Should not exceed 12 from the date of service of initial process on the last defendant or 120 days after the commencement of the action, whichever occurs first.</i>	Projected trial (month/day/year) _____ Jury/non-jury _____ Length of trial _____ hours/days <i>Actual trial date to be set by Trial Order</i>
Deadline for service of process	120 days from the initial filing of the complaint
Deadline for adding new parties or amendments to the pleadings	_____ days since the first response date (i.e. Answer, Notice of Appearance, Motion to Extend Time, Motion to Dismiss, etc.)

Deadline for fact witnesses and exhibit disclosure from all parties	_____ days before the projected trial date
Deadline for Disclosure of Plaintiff's expert witnesses	_____ days before the projected trial date
Deadline for Disclosure of Defendant's expert witnesses	_____ days before the projected trial date
Deadline for the completion of all fact AND expert discovery, including all Motions to Compel being FILED and HEARD	_____ days before the projected trial date
Deadline for all objections to the pleadings and all pre-trial motions FILED and HEARD	_____ days before the projected trial date
Deadline for all dispositive motions (including Daubert Motions) FILED and HEARD	_____ days before the projected trial date
Deadline for mediation	_____ days before the projected trial date

We hereby certify that all parties have met and conferred regarding all proposed deadlines in the Case Management Plan and certify that all deadlines have been agreed to by the parties.

Signature of Counsel: Plaintiff(s)/
Pro Se Litigant

Signature of Counsel: Defendant(s)/
Pro Se Litigant

Printed name of Counsel/Pro Se Litigant
Florida Bar Number:
Email address

Printed name of Counsel/Pro Se Litigant
Florida Bar Number:
Email Address

ORDER APPROVING CASE MANAGEMENT PLAN

ORDERED that the preceding deadlines apply to this action and that the same will be strictly applied and enforced by the Court:

- 1. COMPLIANCE WITH THIS CASE MANAGEMENT ORDER:** The parties shall strictly comply with the terms of this Case Management Plan and Order unless otherwise ordered by the Court. **FAILURE TO COMPLY WITH ALL THE REQUIREMENTS OF THIS ORDER MAY RESULT IN THE IMPOSITION OF SANCTIONS.**

2. **ADDITIONAL EIGHTEENTH CIRCUIT AND DIVISION SPECIFIC GUIDELINES:** All counsel and unrepresented parties shall familiarize themselves and comply with the requirements of the following: (i) Amended Administrative Order Establishing the Eighteenth Judicial Circuit Courtroom Decorum Policy (AO 09-06); and (ii) any division-specific guidelines and policies that may be applicable.
3. **MODIFICATION OF THIS ORDER:** The parties may not, individually or by agreement, alter, extend, or waive the deadlines in this Order. The provisions in this Order may only be modified upon motion/stipulation and Court order approving the modification.
4. **NOTICES/MOTIONS FOR TRIAL:** Parties may file a Notice for Trial if they are ready for trial more than 120 days before the above-projected trial date. The Plaintiff shall confer with opposing counsel/party regarding the anticipated length of the trial and file a Motion or Notice for Trial. The Plaintiff shall forward a copy of the Motion or Notice for Trial to the Case Manager at the email address noted on the Eighteenth Judicial Circuit website.
5. **DISCOVERY:** All counsel and unrepresented parties shall familiarize themselves with the current edition of the Florida Handbook on Civil Discovery Practice and seek to resolve discovery issues without court intervention whenever possible.
6. **SERVICE OF THIS ORDER:** Counsel is ordered to promptly serve and file proof with the Clerk, no more than five (5) business days from the date of this Order that all pro se parties, subsequently named or appearing herein, have been served copies of this Order. In the event a party is unrepresented and has not designated an email address for purposes of electronic service, counsel for Plaintiff shall be responsible for serving this Order and all future orders of the Court via a non-electronic means (U.S. mail, Federal Express or the equivalent) and shall file a Certificate of Service with the Court indicating who was served, the date of service, and the method of service (including any address or email used) within three (3) business days. If Plaintiff is unrepresented, Counsel for Defendant shall have this same obligation. If all parties are unrepresented, the Plaintiff shall provide stamped addressed envelopes to the Court with submission of this and any other proposed Order.

DONE AND ORDERED this ____ day of _____, _____ in Seminole County, Florida.

CIRCUIT JUDGE

A true and correct copy of the foregoing was distributed to all parties by filing and service via the eportal to all attorney(s)/interested parties identified on the eportal Electronic Service List.

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 the ADA Coordinator in your county 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

EXHIBIT D
(Form Ex. D)

IN THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR SEMINOLE COUNTY, FLORIDA

CASE NO:

Plaintiff(s),

v.

Defendant(s).

_____ /

AGREED CASE MANAGEMENT PLAN AND ORDER
(GENERAL)

According to the dictates of Administrative Order AOSC20-23 of the Florida Supreme Court and AO 24-06 2nd Amended, Eighteenth Judicial Circuit, it is hereby stated that the parties hereby submit this agreed upon Case Management Plan for approval by the Court. All parties have signed the plan to indicate that the deadlines and projected trial date have been stipulated.

CASE MANAGEMENT PLAN

Projected trial date, jury or non-jury indication, and estimated length of trial <i>Should not exceed 18 months from the date of service of initial process on the last defendant or 120 days after the commencement of the action, whichever occurs first.</i>	Projected trial (month/day/year) _____ Jury/non-jury _____ Length of trial _____ hours/days <i>Actual trial date to be set by Trial Order</i>
Deadline for service of process	120 days from the initial filing of the complaint
Deadline for adding new parties or amendments to the pleadings	_____ days since the first response date (i.e. Answer, Notice of Appearance, Motion to Extend Time, Motion to Dismiss, etc.)

Deadline for fact witnesses and exhibit disclosure from all parties	_____ days before the projected trial date
Deadline for Disclosure of Plaintiff's expert witnesses	_____ days before the projected trial date
Deadline for Disclosure of Defendant's expert witnesses	_____ days before the projected trial date
Deadline for the completion of all fact AND expert discovery, including all Motions to Compel being FILED and HEARD	_____ days before the projected trial date
Deadline for all objections to the pleadings and all pre-trial motions FILED and HEARD	_____ days before the projected trial date
Deadline for all dispositive motions (including Daubert Motions) FILED and HEARD	_____ days before the projected trial date
Deadline for mediation	_____ days before the projected trial date

We hereby certify that all parties have met and conferred regarding all proposed deadlines in the Case Management Plan and certify that all deadlines have been agreed to by the parties.

Signature of Counsel: Plaintiff(s)/
Pro Se Litigant

Signature of Counsel: Defendant(s)/
Pro Se Litigant

Printed name of Counsel/Pro Se Litigant
Florida Bar Number:
Email address

Printed name of Counsel/Pro Se Litigant
Florida Bar Number:
Email Address

ORDER APPROVING CASE MANAGEMENT PLAN

ORDERED that the preceding deadlines apply to this action and that the same will be strictly applied and enforced by the Court:

- 1. COMPLIANCE WITH THIS CASE MANAGEMENT ORDER:** The parties shall strictly comply with the terms of this Case Management Plan and Order unless otherwise ordered by the Court. **FAILURE TO COMPLY WITH ALL THE REQUIREMENTS OF THIS ORDER MAY RESULT IN THE IMPOSITION OF SANCTIONS.**

2. **ADDITIONAL EIGHTEENTH CIRCUIT AND DIVISION SPECIFIC GUIDELINES:** All counsel and unrepresented parties shall familiarize themselves and comply with the requirements of the following: (i) Amended Administrative Order Establishing the Eighteenth Judicial Circuit Courtroom Decorum Policy (AO 09-06); and (ii) any division-specific guidelines and policies that may be applicable.

3. **MODIFICATION OF THIS ORDER:** The parties may not, individually or by agreement, alter, extend, or waive the deadlines in this Order. The provisions in this Order may only be modified upon motion/stipulation and Court order approving the modification.

4. **NOTICES/MOTIONS FOR TRIAL:** Parties may file a Motion or Notice for Trial if they are ready for trial more than 120 days before the above-projected trial date. The Plaintiff shall confer with opposing counsel/party regarding the anticipated length of the trial and file a Motion or Notice for Trial. The Plaintiff shall forward a copy of the Motion or Notice for Trial to the Case Manager at the email address noted on the Eighteenth Judicial Circuit website.

5. **DISCOVERY:** All counsel and unrepresented parties shall familiarize themselves with the current edition of the Florida Handbook on Civil Discovery Practice and seek to resolve discovery issues without court intervention whenever possible.

6. **SERVICE OF THIS ORDER:** Counsel is ordered to promptly serve and file proof with the Clerk, no more than five (5) business days from the date of this Order that all pro se parties, subsequently named or appearing herein, have been served copies of this Order. In the event a party is unrepresented and has not designated an email address for purposes of electronic service, counsel for Plaintiff shall be responsible for serving this Order and all future orders of the Court via a non-electronic means (U.S. mail, Federal Express or the equivalent) and shall file a Certificate of Service with the Court indicating who was served, the date of service, and the method of service (including any address or email used) within three (3) business days. If Plaintiff is unrepresented, Counsel for Defendant shall have this same obligation. If all parties are unrepresented, the Plaintiff shall provide stamped addressed envelopes to the Court with submission of this and any other proposed Order.

DONE AND ORDERED this ____ day of _____, _____ in Seminole County, Florida.

CIRCUIT JUDGE

A true and correct copy of the foregoing was distributed to all parties by filing and service via the eportal to all attorney(s)/interested parties identified on the eportal Electronic Service List.

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 the ADA Coordinator in your county 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