

PRE-TRIAL CHECKLIST and ORDER CONTROLLING TRIAL
(Orange Circuit Civil Division 35 – Judge Margaret H. Schreiber)
Courtroom 19-B, Hearing Room 1700.01, Orange County Courthouse
(Pursuant to Fla. R. Civ. P. 1.200 (d))

*This Checklist must be completed by counsel, signed and (i) brought to the Pretrial Conference **or** (ii) submitted to the Judge in Chambers (via hand delivery or email to 35orange@ninthcircuit.org) no later than 48 hours prior to the Pretrial Conference.*

CASE #: _____ **P/T DATE:** _____

CASE STYLE: _____

Estimated Length of Trial: _____ days

Jury Trial: ☐Yes ☐No

Attorney(s) for Plaintiff(s)

_____ for _____ (1)
_____ for _____ (2)

Attorney(s) Defendant(s)

_____ for _____ (1)
_____ for _____ (2)
_____ for _____ (3)

1. **Joint Meeting of Counsel** Completed? ☐Yes ☐No If no, date it is scheduled? _____

2. **Joint PT Statement** Filed? ☐Yes ☐No If no, date it will be filed by: _____
If no, have Individual PT Statements been filed? Plaintiff: ☐Yes ☐No Defendant? ☐Yes ☐No

3. **Mediation** Held? ☐Yes ☐No When held or scheduled? _____
Is settlement still a possibility? ☐Yes ☐No ☐Maybe

4. **Court Reporter** – Who will order? _____ Will the cost be shared / not shared? (circle one)

5. **Interpreter** needed? ☐Yes ☐No If yes, will the cost be shared / not shared? (circle one)

6. **Has Plaintiff #1 filed:** Witness List? ☐Yes ☐No Exhibit List? ☐Yes ☐No
Expert Witness List? ☐Yes ☐No

Has Plaintiff #2 filed: Witness List? ☐Yes ☐No Exhibit List? ☐Yes ☐No
Expert Witness List? ☐Yes ☐No

7. **Has Defendant #1 filed:** Witness List? ☐Yes ☐No Exhibit List? ☐Yes ☐No
Expert Witness List? ☐Yes ☐No

Has Defendant #2 filed: Witness List? ☐Yes ☐No Exhibit List? ☐Yes ☐No
Expert Witness List? ☐Yes ☐No

Has Defendant #3 filed: Witness List? ☐Yes ☐No Exhibit List? ☐Yes ☐No
Expert Witness List? ☐Yes ☐No

8. **Motions in Limine:** Filed prior to this pre-trial conference? ☐ Yes ☐ No - ☐ None

Must be scheduled and heard no later than **one week prior** to the beginning of the trial period. You must comply with Division 35's Standing Order on Motions in Limine, found at www.ninthcircuit.org

9. Have the parties filed their **Deposition Designations, Counter-Designations and Objections?**

☐Yes ☐No ☐ None

- Deposition designations (citing page and line numbers) are due **30 days** before the start of the Trial Period by the party offering the testimony.
- Cross designations (citing page and line numbers) are due **20 days** before the start of the Trial Period.
- All objections must be ruled on **PRIOR TO THE START OF THE TRIAL PERIOD**. Please submit the deposition together with a blank Order containing a identifying the designation (page and line), the objection, and leaving a place for the Court to rule. The Court will rule in chambers without hearing.

10. Time Estimates:	<i>Voir Dire:</i>	<i>Opening Statement:</i>	<i>Closing Argument</i> (to include rebuttal)
Plaintiff (1)	_____ min/hr	_____ min/hr	_____ min/hr
Plaintiff (2)	_____ min/hr	_____ min/hr	_____ min/hr
Defendant (1)	_____ min/hr	_____ min/hr	_____ min/hr
Defendant (2)	_____ min/hr	_____ min/hr	_____ min/hr
Defendant (3)	_____ min/hr	_____ min/hr	_____ min/hr

11. **Jury: Venire** – Number requested? _____ Number of **Alternate(s)** requested? _____
Peremptory Challenges (3 per party): _____ Total for: Plaintiff: _____ Defendant: _____

12. When is the **Rule of Sequestration** invoked? ☐Before *voir dire* ☐Before opening ☐Not invoked

13. Are there any pending **Motions, Special Provisions or Concerns?** *(Please list below)*

PLEASE BE AWARE OF THE FOLLOWING ADDITIONAL REQUIREMENTS

14. Exhibits and Demonstrative Aids:

Per the Uniform Order Setting Case for Trial, all exhibits and demonstrative aids (including Power Point Presentations and Trial Exhibits) must be exchanged, initialed by counsel for all parties, and tagged and marked for identification **PRIOR** to the first day of trial. Any objections must be separately noted and brought to the attention of the Court. Demonstrative aids may **NOT** be used during Opening Statement without (i) agreement or (ii) **prior** *(before the first day of trial)* court order. Please contact Dana Swanson (Evidence Clerk) at dana.swanson@myorangeclerk.com for evidence tags and instructions.

15. Stipulations – Admissions – Waivers of Custodians: Must be in writing if seeking Court enforcement

16. Trial Briefs: Not required, but if you choose to submit them, please provide hard copies to Judge Schreiber’s Chambers (1710) at least **five (5) business days** prior to trial to allow adequate time for review.

17. Judicial Notice: Please follow the Evidence Code, Section 90.201-90.207, Florida Statutes

18. Witness Disclosure during Trial: The next day’s witnesses shall be disclosed at the end of each trial day

19. Expert Opinions: Are not admissible if not expressed in deposition or in an expert report *(unless no report was created and no deposition was taken)*

20. Audio/video equipment – DO NOT WAIT UNTIL TRIAL TO TEST EQUIPMENT – Contact the Ninth Circuit’s Technology Support department at <http://www.ninthcircuit.org/services/technology-support> or call [407-836-0522](tel:407-836-0522) before the day of trial.

21. Jury Instructions and Verdict Forms - File the originals with the Clerk and provide a copy in **MS Word** *(in Times New Roman font – 14 pt. double spaced)* - to the Judge – either via USB flash delivered to the Court or via email to Wendy Blair, JA, at ctjawb1@ocnjcc.org

- They must be submitted/received no later than 3 business days **prior** to the first day of trial
- Early substantive jury instructions, including the law, will be given **prior** to opening statements
- Final jury instructions will be given before closing argument.
- Jurors will be permitted to take notes and ask questions of witnesses *(See F.S. 40.50 and Rule 1.452)*

22. Be familiar with Judge Schreiber's **Guidelines, Procedures, Expectations and Policies for Division 35** and the **Amended Ninth Judicial Circuit Courtroom Decorum Policy**, both of which can be found at: <https://www.ninthcircuit.org/about/judges/circuit/margaret-h-schreiber>.

I HAVE READ AND ACKNOWLEDGE THE FOREGOING. I UNDERSTAND THAT I MUST NOTIFY THE COURT IMMEDIATELY UPON SETTLEMENT OF THE CASE.

Attorney Signature(s)

Party

_____	for	_____
_____	for	_____
_____	for	_____
_____	for	_____
_____	for	_____
_____	for	_____

DO NOT WRITE BELOW THIS LINE – FOR COURT USE ONLY

VENIRE REQUEST: _____ - NUMBER OF ALTERNATES: _____

TIME CERTAIN DATE SET FOR TRIAL (IF APPLICABLE): _____

DATE SET FOR TRIAL: _____ # _____

YOU MAY BE CALLED AT **ANY TIME** DURING THE TRIAL PERIOD. **YOU ARE ON STAND-BY FOR THE ENTIRE TRIAL PERIOD.** JUDGE SCHREIBER'S JA WILL DISTRIBUTE A TRIAL LIST WITH CASE NAMES AND NUMBERS, ATTORNEY NAMES AND CONTACT INFORMATION.

YOU ARE RESPONSIBLE FOR CONTACTING COUNSEL AHEAD OF YOU ON THE TRIAL LIST TO FIND OUT WHEN YOU MAY BE CALLED, OR YOU MAY CONTACT WENDY BLAIR AT CTJAWB1@OCNJCC.ORG. ALL TRIAL DATES (UNLESS OTHERWISE NOTED ON THE ORDER SETTING TRIAL) START AT 9:30 A.M. IN COURTROOM 19-B, ORANGE COUNTY COURTHOUSE. PLEASE ARRIVE AND BE PREPARED TO BEGIN BY 9:00.

DONE AND ORDERED this _____ day of _____, 2023.

MARGARET H. SCHREIBER
 Circuit Judge – Division 35