

# PRE-TRIAL CONFERENCE CHECKLIST AND ORDER CONTROLLING TRIAL

Review Business Court Procedures (BCP) §9

**Email (do not file) completed Checklist no later than 5 days before PTC**

**(If case previously continued, parties shall complete and email updated Checklist)**

<b>Case Style:</b>	<b>Case #</b> -CA    -O	<b>PTC Date:</b>
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Plaintiff(s) Attorney(s):	Defendant(s) Attorney(s):
	for (1)
	for (2)
	for (3)
	for (4)

1	<b>Joint Final PT Statement</b> See BCP Section 9 <b>filed:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No  Date Filed/Due _____	<b>Court Reporter:</b> <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Shared <input type="checkbox"/> No  (Court Reporter must be present in same room as Judge)	<b>Interpreter:</b> <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Shared <input type="checkbox"/> No	<b>Pursuant to BCP 9.1</b> <b>Joint Meeting of Counsel</b> <b>Completed:</b>  <input type="checkbox"/> Yes <input type="checkbox"/> No  Date of Meeting/Due _____
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	<u>Plaintiff</u>	<u>Defendants</u>	<u>Third/Fourth Party</u> <u>Defendants</u>
<b>Stipulated Facts Filed:</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Witness List filed:</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Exhibit List filed:</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Expert List filed:</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>P/T Statement filed:</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Deposition Designations/Counter Designations for case in chief filed:</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None
<b>Joint Jury Instructions &amp; Verdict Form via USB Drive</b> <small>(format: Word – 14 pt. – Times New Roman)</small>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

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2	<b>Exhibits:</b> <input type="checkbox"/> Exchanged; <input type="checkbox"/> Initialed - ___ Electronically or ___ Personally; <input type="checkbox"/> Objections, if any, separately noted. Estimate hearing time to address all noted objections ____ minutes. (See Page 4 for date/time of Court scheduled hearing.) <b>All Objections must be heard no later than first day of the trial docket.</b> <u>All</u> exhibits must be tagged and marked for identification <u>Prior</u> to the first day of trial. Contact the proper Clerk's Office for evidence tags and instructions.
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3	<b>Demonstrative Aids:</b> All demonstrative aids (including Power Point Presentations), shall not contain the name of the attorney/law firm and shall not be shown to the jury without agreement or prior court order, with the exception of closing arguments. Parties encouraged to exchange and initial demonstrative aids prior to trial to avoid costly last minute changes.  <input type="checkbox"/> Exchanged <input type="checkbox"/> Initialed <input type="checkbox"/> Marked by the clerk <input type="checkbox"/> Not Exchanged
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4	<b>Mediation held?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>When:</b>
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5	<b>DEPOS TO BE READ / SHOWN / IMPEACH</b> <input type="checkbox"/> Designations/Counter Designations of the portions of written/video depositions that are to be published at trial must be disclosed in writing. <input type="checkbox"/> Objections? BCP 9.2(d) <input type="checkbox"/> Copies for Court.
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6	<input type="checkbox"/> <b>Stipulations – Admissions – Waivers of Custodians</b> <i>Must Be In Writing if seeking Enforcement by Court.</i>
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7	<input type="checkbox"/> <b>Motions in Limine</b> filed per Case Management Order? <input type="checkbox"/> Yes <input type="checkbox"/> No - <input type="checkbox"/> None (They must be scheduled and heard prior to Pre-Trial Conference if Oral Argument is granted) (See CMO & BCP 10.2) <b>Attorneys responsible to advise their witnesses and clients of rulings on Motion in Limine. If unsure of any part of the Motion in Limine Order(s), attorneys shall seek clarification from Court before witness testifies.</b>
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8	<input type="checkbox"/> <b>Trial Briefs</b> to be provided to Judge Jordan's Chambers at least (10) days prior to the first day of trial period. (See BCP 10.1).
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9	<input type="checkbox"/> <b>Will a view of scene be necessary?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> <b>Judicial Notice</b> – See Florida Evidence Code F.S. 90.201-207 unless stipulation.
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10	<input type="checkbox"/> If either party plans on using audio/video equipment for trial, suggest they contact the <u>Orange Court Audio/Visual Dept.</u> at 407-836-0522 or see <a href="http://www.ninthcircuit.org/services/technology-support">http://www.ninthcircuit.org/services/technology-support</a> before the day of trial. Court Room will open no later than 8:30 am to allow parties to test equipment during trial.
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11	<input type="checkbox"/> Agree upon and draft a concise but complete Statement of the Case to be read by the Judge at the beginning of voir dire.
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12	<input type="checkbox"/> <b>Jury Instructions and Verdict Forms</b> – delivered to Court with Courtesy Copy of Joint Final Pre-Trial Statement on USB flash drive. MS Word 14 pt. Times New Roman font. Double Spaced. (See BCP 9.2 e) <b>Rule of Sequestration</b> – When invoked: <input type="checkbox"/> before voir dire <input type="checkbox"/> before opening <input type="checkbox"/> Not invoked <b>Early Substantive Jury Instructions</b> (given prior to opening statements): <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Final instructions before closing. <input type="checkbox"/> Jurors will be permitted to take notes and ask questions of witnesses (See F.S. 40.50 and Fla. R. Civ. P. 1.452).
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13	<b>Venire Request</b> - _____ (22 allotted) - <b>Number of Alternates Requested</b> - _____ <b>Peremptory Challenges:</b> Plaintiff -            Def(1) -            Def(2) -            Def(3) -            3 <sup>rd</sup> /4 <sup>th</sup> Party Def(s) -
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14	<b>Trial Length</b> _____ days - <b>Jury Trial or Non-Jury Trial</b> (circle one)  Parties are held accountable for their estimates and requested length of trial. Failure to reasonably comply with time estimates may result in mistrial, sanctions, including attorney’s fees, costs and expenses.  *For example, <b>daily trial time, excluding breaks/lunch, is six 6 hours.</b>  <b>**Trial time includes:</b> Witnesses called by you, (Direct, Redirect), cross examination of witnesses called by other parties, objections/sidebars, rebuttal witnesses, etc.
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<b>Time Estimates:</b>	<b><u>Voir Dire:</u></b>	<b><u>Opening Statement:</u></b>	<b><u>**Trial:</u></b>	<b><u>Closing Argument:</u></b>
<b>Plaintiff (1):</b>	Min/Hr	Min/Hr	Min/Hr/*Day	Min/Hr
<b>Plaintiff (2):</b>	Min/Hr	Min/Hr	Min/Hr/*Day	Min/Hr
<b>Defendant (1):</b>	Min/Hr	Min/Hr	Min/Hr/*Day	Min/Hr
<b>Defendant (2):</b>	Min/Hr	Min/Hr	Min/Hr/*Day	Min/Hr
<b>Defendant (3):</b>	Min/Hr	Min/Hr	Min/Hr/*Day	Min/Hr
<b>3<sup>rd</sup>/4<sup>th</sup> Party Defendant(s):</b>	Min/Hr	Min/Hr	Min/Hr/*Day	Min/Hr

15 Refer to [www.ninthcircuit.org](http://www.ninthcircuit.org) for further information on Guidelines and Procedures for Business Court and Judge Jordan - Division 43 and Division 23.

16 **Special Provisions or Concerns:**

**Attorney Signatures:**

\_\_\_\_\_ for \_\_\_\_\_  
\_\_\_\_\_ for \_\_\_\_\_  
\_\_\_\_\_ for \_\_\_\_\_  
\_\_\_\_\_ for \_\_\_\_\_  
\_\_\_\_\_ for \_\_\_\_\_  
\_\_\_\_\_ for \_\_\_\_\_

**DO NOT WRITE BELOW THIS LINE – FOR COURT USE ONLY**

Parties shall appear for a \_\_\_\_\_ minute hearing to address all **objections to exhibits as noted in the Joint Pre-Trial Statement** on \_\_\_\_\_ of \_\_\_\_\_, 20\_\_ in Hearing Room 1400.02, 425 N. Orange Ave., Orlando, FL 32801. (See section 2). Parties may appear via Webex Static Link: <https://ninthcircuit.webex.com/meet/ctjuj1> Meeting Number:173 997 6050 or join by phone 1-904-900-2303 with Access code: 173 997 6050##.

**Tentative Trial Date:** \_\_\_\_\_, 20\_\_ #\_\_\_\_\_; If not #1 - Check Court Docket, Counsel on cases before you or Cathy Stephens, Judicial Assistant ([43Orange@ninthcircuit.org](mailto:43Orange@ninthcircuit.org)). **Notwithstanding**, you must appear ready for trial. All motions for trial must be brought before the Court at 8:30 am. **Counsel, Parties and Court Reporters shall appear no later than 8:30 a.m.**

**Court Room 9A, Orange County Court House, 425 N. Orange Ave., Orlando, FL 32801**

**Court Room 307, Osceola Historical Court House, 3 Courthouse Square, 3<sup>rd</sup> Floor, Kissimmee, FL 34741**

**Done and Ordered** on \_\_\_\_ of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
John E. Jordan, Circuit Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing was filed with the Clerk of the Court this \_\_\_\_ day of \_\_\_\_\_ 20\_\_ by using the Florida Courts E-Filing Portal System. Accordingly, a copy of the foregoing is being served on this day to all attorney(s)/interested parties identified on the ePortal Electronic Service List, via transmission of Notices of Electronic Filing generated by the ePortal System.

Cathy Stephens, Judicial Assistant to Judge John E Jordan