

**VIRTUAL PRE-TRIAL CHECKLIST and ORDER CONTROLLING TRIAL**

**(Division 39 – Judge Michael Deen)**

*(Pursuant to Fla. R. Civ. P. 1.200 (d))*

CASE #: \_\_\_\_\_

P/T DATE: \_\_\_\_\_

CASE STYLE: \_\_\_\_\_

Estimate Length of Trial: \_\_\_\_\_ days

Jury Trial:  Yes  No

1. **Joint Meeting of Counsel:** Completed?  Yes  No If no, date it is scheduled for: \_\_\_\_\_

2. **Joint PT Statement:** Filed?  Yes  No If no, date by which it will be filed: \_\_\_\_\_

3. **Mediation:** Held?  Yes  No When held or scheduled? \_\_\_\_\_

4. **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.*

5. **Have the parties filed their Depo Designations, Counter-Designations and Objections?**  Yes  No

- *If yes, provide a blank Order for the Court with columns for the designation (page and line), objection, and a place for the Court to rule. The Court will rule in chambers. Pursuant to the Uniform Order Setting Case for Trial, must be disclosed in writing (citing page and line numbers) (i) **30 days** before the Pre-Trial Conference (designations), and (ii) **20 days** before the Pre-Trial Conference (counter-designations)*

6. Time Estimates:	<i>Voir Dire:</i>	<i>Opening Statement:</i>	<i>Closing Argument</i> <i>(to include rebuttal)</i>
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

7. **Jury: Venire** – # requested? \_\_\_\_\_ **Alternate(s)** – # requested? \_\_\_\_\_

**If requesting more than the standard Venire of 22, please provide the reason:**

\_\_\_\_\_

**Peremptory Challenges** (3 per party): Total: Plaintiff: \_\_\_\_\_ Def #1: \_\_\_\_\_ Def #2: \_\_\_\_\_

8. **Pending Motions, Special Provisions or Concerns?**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Was the case previously not reach on a prior trial docket. If so, please provide the date of the prior trial period(s).

\_\_\_\_\_

**BE AWARE OF THE FOLLOWING ADDITIONAL REQUIREMENTS**

10. **Exhibits and Demonstrative Aids:** Per the Uniform Order Setting Case for Trial, all exhibits and demonstrative aids (including Power Point Presentations) must be exchanged, initialed by counsel for all parties, and tagged and marked

for identification. Any objections must be separately noted. Demonstrative aids may **NOT** be used during Opening Statement without (i) agreement or (ii) **prior** (*before the first day of trial*) court order. Contact Trial Clerk for evidence tags and instructions.

11. **Stipulations – Admissions – Waivers of Custodians:** Must be in writing if seeking Court enforcement
12. **Trial Briefs:** Not required, but if you choose to submit them, please provide hard copies to Judge Alvaro’s Chambers at least **five (5) working days** prior to trial to allow adequate time for review
13. **Judicial Notice:** Follow the Evidence Code, Section 90.201-90.207, Florida Statutes
14. **Witness Disclosure during Trial:** The next day’s witnesses shall be disclosed at the end of each trial day
15. **Expert Opinions:** Not admissible if not expressed in deposition or in an expert report (*unless no report was created and no deposition was taken*)
16. **Audio/video equipment – DO NOT WAIT UNTIL TRIAL TO TEST EQUIPMENT** – Contact the IT Support department before the first day of trial.
17. **Jury Instructions and Verdict Forms** –
  - Exchanged no later than 10 days prior to the Pre-Trial Conference
  - Submitted to the Judge prior to the first day of trial. File originals with the Clerk and provide a Copy in **MS Word** (*in Times New Roman font – 12 pt. single spaced*) to the Court via email the Judicial Assistant at [39orange@ninthcircuit.org](mailto:39orange@ninthcircuit.org)

VENIRE REQUEST: _____ - NUMBER OF ALTERNATES: _____
TIME CERTAIN DATE SET FOR TRIAL (IF APPLICABLE): _____
TENTATIVE DATE SET FOR TRIAL: _____ # _____
YOU MAY BE CALLED AT <b>ANY TIME</b> DURING THE TRIAL PERIOD. <b>YOU ARE ON STAND-BY FOR THE ENTIRE TRIAL PERIOD.</b> JUDGE ALVARO’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 SHENISE BAKER AT <a href="mailto:39ORANGE@NINTHCIRCUIT.ORG">39ORANGE@NINTHCIRCUIT.ORG</a> . ALL TRIAL DATES (UNLESS OTHERWISE NOTED ON THE ORDER SETTING TRIAL) START AT 9:00 A.M. IN COURTROOM 18B.

**DONE AND ORDERED.**

\_\_\_\_\_  
**Michael Deen**  
Circuit Judge