

EXHIBIT A – for NON-JURY TRIAL CASES
Additional Pre-Trial Guidelines for Division 34

1. EXPERT WITNESS DISCLOSURE (*amending § 9*):

By Plaintiff(s): Not later than 90 days before the date of the pretrial conference, Plaintiff(s) shall disclose all expert witnesses (including treating physicians) that in good faith Plaintiff(s) actually intend to call at trial. Disclosure includes providing three (3) days when the retained experts will be ready, with opinion, for deposition.

By Defendant(s): Not later than 60 days before the date of the pretrial conference, Defendant(s) shall disclose all expert witnesses (including treating physicians) that in good faith Defendant(s) actually intend to call at trial. Disclosure includes providing three (3) days when the retained experts will be ready, with opinion, for deposition.

2. SCHEDULING OF MOTIONS IN LIMINE:

Motions in Limine must be scheduled and heard no later than one week prior to the beginning of the trial period. Hearing time is limited and counsel should not assume that hearing time will be available for motions filed, but not heard, before pre-trial conference. No Motions in Limine will be heard during the trial period absent a showing of good cause. Counsel must comply with the Division 34 Procedures for Hearings and Rulings on Motions in Limine, located at <http://ninthcircuit.org/about/judges/circuit/paetra-t-brownlee>.

3. FRYE/DAUBERT HEARINGS (Fla. Stat. § 90.702):

Motions to exclude expert witnesses must be heard at least thirty (30) days prior to pre-trial conference unless good cause is shown for scheduling the matter later.

4. DEPOSITION DESIGNATIONS (*modifying § 6(a)(8) and 6(b)*):

At the meeting of the attorneys/pro se parties, deposition designations shall be made. Cross designations shall be made within three (3) days after the meeting. The designations and cross designations shall be included in the Joint Pretrial Statement. The parties shall include in the Joint Pretrial Statement a page-and-line description of any testimony that remains in dispute after an active and substantial effort at resolution, together with argument and authority for each party's position. Designations or objections not contained in the Joint Pretrial Statement will not be entertained.

5. LEAD TRIAL COUNSEL MUST ATTEND THE PRETRIAL CONFERENCE.

6. ADDITIONAL GUIDELINES:

Counsel are charged with reading and being familiar with the contents of the following Division 34 documents: (i) Guidelines, Procedures and Expectations; (ii) Guidelines for Counsel Regarding Compulsory Medical Examinations; and (iii) Ninth Judicial Circuit Courtroom Decorum Policy (*Amended, September 2014*) located at <http://ninthcircuit.org/about/judges/circuit/petra-t-brownlee>.

SUMMARY OF NON-JURY DEADLINES

Division 34

Mediation: Completed prior to Pretrial Conference. (§4b)

Plaintiff's Expert Witness list: 90 days prior to Pretrial Conference. (§9)

Defendant's Expert Witness list: 60 days prior to Pretrial Conference. (§9)

Exchange of Witness Lists and Evidence Schedules: 45 days before date of Pretrial Conference. (§5)

Meeting of Attorneys: 10 working days prior to Pretrial Conference. (§6a)

Motions for Summary Judgment and hearings related to discovery: Filed and heard prior to Pretrial Conference. (§8a)

Motions in Limine: Filed prior to Pretrial Conference and heard no later than 7 days prior to first day of trial period. (§8b) *Must comply with Division 34 Procedures for Hearings and Rulings on Motions in Limine, located at <http://ninthcircuit.org/about/judges/circuit/paetra-t-brownlee>.*

Hearings related to discovery or trial matters: Filed and heard prior to Pretrial Conference. (§12 of Division 34 Guidelines and Procedures)

Joint Pretrial Statement: Signed by attorneys/pro se parties and filed and **a hard copy delivered to chambers no later than 3 business days prior to Pretrial Conference.** (§6b)

Discovery Cut-Off: 1 day prior to Pretrial Conference. (§7)

Trial Briefs (*mandatory*): 3 business days prior to Trial. (§10)(*e.g. by Wednesday for the trial period commencing the following Monday*) **A hard copy must be delivered to chambers 3 business days prior to Trial.**