

**DIVISION 40**  
**ORDER CONTROLLING TRIAL AND PRE-TRIAL CHECKLIST**  
*(Pursuant to Fla. R. Civ. P. 1.200(d))*  
**(Bring (do not file) completed checklist to Pre-Trial Conference)**

CASE #: \_\_\_\_\_ -CA \_\_\_\_\_ -O                      P/T DATE: \_\_\_\_\_ / \_\_\_\_\_ /20 \_\_\_\_\_

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

**Attorney(s) for Plaintiff(s)**

\_\_\_\_\_ for \_\_\_\_\_ (1)

\_\_\_\_\_ for \_\_\_\_\_ (2)

**Attorney(s) Defendant(s)**

\_\_\_\_\_ for \_\_\_\_\_ (1)

\_\_\_\_\_ for \_\_\_\_\_ (2)

\_\_\_\_\_ for \_\_\_\_\_ (3)

**Circle or Check the following as Appropriate:**

1. Jury / Non-Jury  
Duration: \_\_\_\_\_ Hours/Days  
Court Reporter provided by: Pltf. or Def. # \_\_\_\_\_ Interpreter: Yes / No: Pltf. or Def. # \_\_\_\_\_  
Rule of Sequestration Invoked? Yes / No                      If YES: Before voir dire / opening

2. JOINT PRE-TRIAL STIP. filed? Yes / No  
If "No," will be filed by: \_\_\_\_\_  
*Jury Trials Only:* Statement of case to be read to venire: Yes / No                      In Jt. Stip.: Yes / No

	<u>Witness List</u>	<u>Exhibit List</u>	<u>Expert List.</u>	<u>P/T Statement</u>
	<u>Filed?</u>	<u>Filed?</u>	<u>Filed?</u>	<u>Filed?</u>
Plaintiff:	Y / N	Y / N	Y / N	Y/N
Defendant (1):	Y / N	Y / N	Y / N	Y/N
Defendant (2):	Y / N	Y / N	Y / N	Y/N
Defendant (3):	Y / N	Y / N	Y / N	Y/N
Defendant (4):	Y / N	Y / N	Y / N	Y/N

3. EXHIBITS: Must be Exchanged / Pages must be numbered and initialed / Objections must be noted / Must be Tagged\* (*\*All exhibits must be marked before the first day of trial. Tags are available from the Trial Clerk.*)
4. DEMONSTRATIVE AIDS: Must be Exchanged / Must be Initialed / Must be Marked / Must agree to use in opening or obtain prior (before the day of trial) court order allowing use. *This includes Power Point Slides!*
5. MEDIATION: Held? Yes / No;                      If "no," is mediation scheduled? Yes / No

*Is settlement Still a Possibility? Yes / Maybe / No*

6. DEPOSITIONS, INTERROGATORIES & REQUEST AND RESPONSES TO ADMISSIONS:  
If they are to be shown or used for impeachment:

- Copies: Bring two (2) hard copies of any deposition to be used to court.
- Designations/Cross Designations: Must be disclosed in writing (pages/lines) within the following time frame:
  - By the party offering the testimony: 4 days after pretrial.
  - Cross Designations in response to the designations: 8 days after pretrial.
- Objections: Objections to portions of depositions must be called up, set for hearing, and ruled upon no later ten (10) days after the pretrial.

7. STIPULATIONS, ADMISSIONS, AGREEMENTS AND WAIVERS: Must be in writing.

8. TRIAL DATE: \_\_\_\_\_ (*put case on standby (48 hour notice) for earlier call*)

9. MOTIONS IN LIMINE: Must be filed before Pre-trial and HEARD BEFORE trial week. See [www.ninthcircuit.org](http://www.ninthcircuit.org) for Division 40's Standing Order on Procedures for Motions in Limine.

10. TRIAL BRIEFS: If jury trial, not required. If non-jury trial, hard copies must be delivered to Judge's Chambers as well as a copy emailed in Word to Chambers, or in the alternative, provided on a flash drive at least three (3) business days before trial.

11. TIME ESTIMATES AND ALLOTMENTS:

	<i>Voir Dire</i> (if Jury Trial)	Opening Statement	Closing Argument
Plaintiff:	_____ 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.
Defendant (4):	_____ min. / hr.	_____ min. / hr.	_____ min. / hr.

12. JUDICIAL NOTICE: Please follow the Evidence Code Fla. Stat. 90.201 - 207.

13. AV EQUIPMENT: If you will need audio/video assistance during trial, please complete the online "A/V Request Form" on the Court's website [www.ninthcircuit.org](http://www.ninthcircuit.org) under "Services" and then "Technology Support."

14. WITNESS DISCLOSURE: Each attorney will advise opposing counsel of the next day's witnesses at the end of each day.

15. PENDING MOTIONS AND POSSIBLE DISCOVERY ISSUES:

- (1) \_\_\_\_\_
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_
- (4) \_\_\_\_\_

16. EXPERT OPINIONS: Not admissible if not expressed in Expert Report or at Deposition (*unless none provided or deposition not taken*).

JURY INSTRUCTIONS / VERDICT FORMS: Proposed jury instructions and verdict forms must be submitted both in hard copy and electronically in *Word* to the J.A., Cindy Brown, at [ctjacb1@ocnjcc.org](mailto:ctjacb1@ocnjcc.org) no later than three (3) days *before* the start of the trial docket

17. VOIR DIRE: Preemptory challenges (3 per party). Total # of challenges: \_\_\_\_\_;  
Venire size: \_\_\_\_\_; Alternates (#): \_\_\_\_\_

18. SPECIAL PROVISION OR CONCERNS:

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

19. \_\_\_\_\_ AMENDED NINTH JUDICIAL CIRCUIT COURTROOM DECORUM POLICY: All attorneys are expected to have read and become familiar with these policies, which can be found on Division 40's page at [www.ninthcircuit.org](http://www.ninthcircuit.org).

**DO NOT WRITE BELOW THIS LINE**

**SIGNATURES:**

*Attorney(s) for Plaintiff(s)*

\_\_\_\_\_ for \_\_\_\_\_ (1)

\_\_\_\_\_ for \_\_\_\_\_ (1)

*Attorney(s) for Defendant(s)*

\_\_\_\_\_ for \_\_\_\_\_ (1)

\_\_\_\_\_ for \_\_\_\_\_ (2)

\_\_\_\_\_ for \_\_\_\_\_ (3)

**Tentative date set for trial: \_\_\_\_\_ # \_\_\_\_\_;**  
**But on Standby for earlier call; Check with Counsel on cases before you or Cindy Brown, Judicial Assistant ([ctjacb1@ocnjcc.org](mailto:ctjacb1@ocnjcc.org)). All trial dates unless otherwise noted on the trial order start at 8:30 a.m. in Courtroom 18C.**

DONE and ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
**BOB LEBLANC**  
Circuit Court Judge