**PRE-TRIAL CHECKLIST AND ORDER CONTROLLING TRIAL**

**Bring (do not file) completed Checklist to Pre-Trial Conference**

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| **Case Style:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_vs\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | **Case #**  \_\_\_\_\_-CA\_\_\_\_\_\_\_\_\_\_\_\_\_-O | **PTC Date:** \_\_\_\_/\_\_\_\_/20\_\_\_ |

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| **Plaintiff(s) Attorney(s):** | **Defendant(s) Attorney(s):** |  |  |
|  |  | for | (1) |
|  |  | for | (2) |
|  |  | for | (3) |

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| 1 | **Trial Length \_\_\_\_\_** days - **Jury Trial or Non-Jury Trial** (circle one) |

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| 2 | **Joint PT Stipulation filed:**  Yes No  Date filed/due\_\_\_\_\_\_\_\_\_ | **Court Reporter:**  Plaintiff Defendant  Shared  No | **Interpreter:**  Plaintiff Defendant  Shared No N/A | **Joint Meeting of Counsel Completed:**    Yes No |

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| **Witness List filed:** | Plaintiff Yes No | Def (1) Yes No | Def (2) Yes No |
| **Exhibit List filed:** | “ Yes No | “ Yes No | “ Yes No |
| **Expert List filed:** | “ Yes No | “ Yes No | “ Yes No |
| **P/T Statement filed:** | “ Yes No | “ Yes No | “ Yes No |
| **Deposition Designations/Counter Designations for case in chief filed:** | “ Yes No None | “ Yes No None | “ Yes No None |

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| 3 | **Exhibits:** Exchanged Exhibits initialed by both sides Objections, if any, separately noted  All exhibits must be tagged and marked for identification Prior to the first day of trial. Contact Nekeshia Brown (court clerk) at Nekeshia.Brown@myorangeclerk.com for evidence tags and instructions. |

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| 4 | **Demonstrative Aids:** Exchanged Initialed Marked by the clerk  Not Exchanged |

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| 5 | **Mediation held?** Yes No **When**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

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| 6 | **DEPOS TO BE READ / SHOWN / IMPEACH**  Designations of the portions of written or video depositions that are to be published at trial must be disclosed in writing.  Objections to portions of depositions must be set for hearing and ruled on PRIOR TO TRIAL. Copies for Court. |

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| 7 | **Stipulations – Admissions – Waivers of Custodians**  *Must Be In Writing if seeking Enforcement by Court.* |

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| 8 | **Motions in Limine** filedprior to this pre-trial conference? Yes No - **None**  (They must be scheduled and heard no later than one week prior to the beginning of the trial period) |

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| 9 | **Trial Briefs,** if any, to be provided to Judge Higbee’s Chambers (2015) at least (3) business days prior to trial. |
| 10 | **Will a view of scene be necessary?** Yes No - **Judicial Notice** – See Florida Evidence Code F.S. 90.201-207 unless stipulation. |

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| 11 | If either party plans on using audio/video equipment for trial, they must contact the Orange Court Audio/Visual Dept.  at 407-836-0534 or see <http://www.ninthcircuit.org/services/technology-support>before the day of trial. Do not wait until trial to test equipment. |

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| 12 | **Jury Instructions** and **Verdict Forms** – Original filed with the Clerk with a copy via USB flash drive to the Court (MS Word). Proposed jury instructions, including early jury instructions, must be submitted to the Court no later than one week prior to the trial date. (14 pt. Times New Roman font. Double Spaced)  **Rule of Sequestration** – When invoked: before voir dire before opening Not invoked **Early Substantive Jury Instructions** (given prior to opening statements): Yes No Final instructions before closing.  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 | **Venire Request** - \_\_\_\_\_\_\_\_\_ (22 allotted) - **Peremptory Challenges:** Plaintiff - Def(1) - Def(2) - |

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| 14 | Refer to [**www.ninthcircuit.org**](http://www.ninthcircuit.org/) for further information on Guidelines and Procedures for Judge Higbee- Division 35. |

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| 15 | **Special Provisions or Concerns:** |

DO NOT WRITE BELOW THIS LINE – FOR COURT USE ONLY

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| 16 | **Tentative date set for trial: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ #\_\_\_\_\_\_\_\_\_; But on Standby for earlier call: Check with Counsel on cases before you or, Donna Isaacson,Judicial Assistant,(ctjadi2@ocnjcc.org). All trial dates unless otherwise noted on the trial order start at 9:30 a.m. in Courtroom 19B.** |
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Plaintiff’s Attorney’s Defendant’s (1) Attorney’s Defendant’s (2) Attorney’s Defendant’s (3) Attorney’s

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

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Heather L. Higbee, Circuit Judge

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