

PRE-TRIAL CHECKLIST and ORDER CONTROLLING TRIAL

(Osceola Division 20 – Judge Margaret H. Schreiber)

(Pursuant to Fla. R. Civ. P. 1.2000 (d))

CASE #: _____ **P/T DATE:** _____

CASE STYLE: _____

Estimate Length of Trial _____ **days** **Jury Trial:** Yes No

Attorney(s) for Plaintiff(s)
_____ for _____ (1)
_____ for _____ (2)

Attorney(s) Defendant(s)
_____ for _____ (1)
_____ for _____ (2)
_____ for _____ (3)
_____ for _____ (4)

- Court Reporter** (if any?) Who will order? _____ **Costs:** Shared? Yes No
- Interpreter:** Needed? Yes No **Language?** _____ **Costs:** Shared? Yes No
- Joint PT Stipulation:** Filed? Yes No If no, date by which it will be filed: _____
- Joint Meeting of Counsel:** Completed? Yes No If no, date it is scheduled for: _____
- Mediation:** Held? Yes No When held or scheduled? _____
Is settlement still a possibility? Yes No Maybe
- 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. You must comply with Division 20’s Standing Order on Motions in Limine, found at www.ninthcircuit.org

7. Has PLAINTIFF (#1) filed the following:

- Witness List? Yes No
- Exhibit List? Yes No
- Expert Witness List? Yes No
- PT Statement? Yes No
- Depo Designations / Counter Designations (case-in-chief) Yes No

Has PLAINTIFF (#2) filed the following:

- Witness List? Yes No
- Exhibit List? Yes No
- Expert Witness List? Yes No
- PT Statement? Yes No
- Depo Designations / Counter Designations (case-in-chief) Yes No

8. Has DEFENDANT (#1) filed the following:

- Witness List? Yes No
- Exhibit List? Yes No
- Expert Witness List? Yes No
- PT Statement? Yes No
- Depo Designations / Counter Designations (case-in-chief) Yes No

Has DEFENDANT (#2) filed the following:

- Witness List? Yes No
- Exhibit List? Yes No
- Expert Witness List? Yes No
- PT Statement? Yes No
- Depo Designations / Counter Designations (case-in-chief) Yes No

Has DEFENDANT (#3) filed the following:

- Witness List? Yes No
- Exhibit List? Yes No
- Expert Witness List? Yes No
- PT Statement? Yes No
- Depo Designations / Counter Designations (case-in-chief) Yes No

Has DEFENDANT (#4) filed the following:

- Witness List? Yes No
- Exhibit List? Yes No
- Expert Witness List? Yes No
- PT Statement? Yes No
- Depo Designations / Counter Designations (case-in-chief) Yes No

9. 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
Defendant (3)	_____ min/hr	_____ min/hr	_____ min/hr
Defendant (4)	_____ min/hr	_____ min/hr	_____ min/hr

10. When is the **Rule of Sequestration** invoked? Before *voir dire* Before opening Not invoked

11. **Jury: Venire** – # requested? _____ **Alternate(s)** – # requested? _____
Peremptory Challenges (3 per party): Total: Plaintiff: _____ Def #1: _____ Def #2: _____ Def #3: _____

12. Are there any **Pending Motions, Special Provisions or Concerns?**

BE AWARE OF THE FOLLOWING ADDITIONAL REQUIREMENTS

13. **Exhibits and Demonstrative Aids:** All exhibits and demonstrative aids (including Power Point Presentations) must be exchanged, initialed by counsel for all parties, and tagged and marked for identification **PRIOR** to the first day of trial. Any objections must be separately noted. Demonstrative aids may **NOT** be used during Opening Statement without agreement or **prior** (*before the first day of trial!*) court order. Contact Melissa (Trial Clerk) at Melissa.Burr@osceolaclerk.org for evidence tags and instructions.

14. **Stipulations – Admissions – Waivers of Custodians:** Must be in writing if seeking Court enforcement

15. **Trial Briefs:** Not required, but if you choose to submit them, please provide hard copies to Judge Schreiber’s Chambers (6410) at least **five (5) business days** prior to trial to allow adequate time for review

16. **Deposition Designations and Cross Designations:** Must be disclosed in writing (*citing page and line #'s*)

- By the party offering the testimony: **10 days** before the start of the Trial Period
- Cross designations are due: **7 days** before the start of the Trial Period
- Objections to portions of depositions must be ruled on **PRIOR TO TRIAL** – Submit the deposition together with a chart identifying the page and line number, the objection, and leaving a place for the court to rule in chambers

17. **Judicial Notice:** Follow the Evidence Code, Section 90.201-90.207, Florida Statutes
18. **Witness Disclosure:** The next day's witnesses shall be disclosed at the end of each day
19. **Expert Opinions:** Not admissible if not expressed in deposition or in an expert report (*unless no report was created and no deposition was taken*)
20. **Audio/video equipment for trial – DO NOT WAIT UNTIL TRIAL TO TEST EQUIPMENT** – Contact the 9th Circuit's Technology Support department at <http://www.ninthcircuit.org/services/technology-support> or call 407-742-2488 before the first day of trial.
21. **Jury Instructions and Verdict Forms** - File originals with the Clerk and provide a Copy in **MS Word** (*in Times New Roman font – 14 pt. double spaced*) - to the Judge – either via USB flash delivered to the Court or via email to Wendy Blair, JA, at ctjawb1@ocnjcc.org
 - Submitted/received no later than 3 business days **prior** to the first day of trial
 - Early Substantive Jury Instructions will be given prior to opening statements
 - Final Jury Instructions will be given before closing argument.
 - Jurors will be permitted to take notes and ask questions of witnesses (*See F.S. 40.50 and Fla.R.Civ.P. 1.452*)
22. Be familiar with Judge Schreiber's and the Ninth Judicial Circuit's guidelines, procedures, expectations and policies, all of which can be found at <https://www.ninthcircuit.org/about/judges/circuit/margaret-h-schreiber>.

I have read and acknowledge the foregoing:

Attorney Signature(s)

_____ for _____
 _____ for _____
 _____ for _____
 _____ for _____

DO NOT WRITE BELOW THIS LINE – FOR COURT USE ONLY

VENIRE REQUEST: _____ - NUMBER OF ALTERNATES: _____

TENTATIVE DATE SET FOR TRIAL: _____ # _____

YOU MAY BE CALLED AT ANY TIME DURING THE TRIAL PERIOD. JUDGE SCHREIBER'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 WENDY BLAIR AT CTJAWB1@OCNJCC.ORG. ALL TRIAL DATES (UNLESS OTHERWISE NOTED ON THE ORDER SETTING TRIAL) START AT 9:00 A.M. IN OSCEOLA COURTROOM 5-E.

DONE AND ORDERED this _____ day of _____, 2019.

MARGARET H. SCHREIBER, Circuit Judge