

IN THE CIRCUIT COURT OF THE  
EIGHTEENTH JUDICIAL CIRCUIT, IN  
AND FOR BREVARD COUNTY, FLORIDA

CASE NO.: 05-

Plaintiff,

vs.

Defendant.

\_\_\_\_\_ /

**PRETRIAL CONFERENCE ORDER**

**THIS CAUSE** came before the Court on \_\_\_\_\_, 20\_\_\_\_ for a Pretrial Conference pursuant to Rule 1.200(b), Fl. R. Civ. P. at which counsel for the parties appeared and participated in the proceedings.

1. Pursuant to Rule 1.200(a)(11), Fl. R. Civ. P., counsel for the parties have prepared, signed and filed a written Pretrial Stipulation, the contents of which are incorporated herein by reference.

2. Pursuant to this Court's procedures and the *Order Setting Trial, Pre-Trial Conference, and Directing Pre-Trial Compliance*, counsel for the parties have prepared, signed and submitted to the Court for filing with the Clerk, a written Pretrial Conference Checklist that will be attached to this Pretrial Conference Order as **Exhibit A**.

3. Pursuant to Rule 1.200(d), Fl. R. Civ. P., the Court makes this Order reciting action(s) taken at the Pretrial Conference and stipulations made. This Order shall control the subsequent course of the cause of action unless modified to prevent injustice.

4. The written Pretrial Conference Checklist has been reviewed with counsel and accepted by the Court and is hereby incorporated into this Pretrial Conference Order herein by reference and attached hereto as **Exhibit A**.

5. The written Pretrial Stipulation has been reviewed and accepted by the Court and is hereby incorporated into this Pretrial Conference Order herein by reference.

6. Only those issues in The Pretrial Stipulation will be presented to the jury. Therefore, the Court takes this opportunity to incorporate the Fourth DCA's reminder to the parties and their counsel *See Palm Beach Polo Holdings, Inc. v. Broward Marine, Inc.*, 174 So. 3d 1037, 1038 (Fla. 4<sup>th</sup> DCA 2015) "that any previous skirmishes or dust-ups or contentious pretrial issues become mostly irrelevant once the parties prepare and stipulate as to the final agreed-upon 'executive summary' as to what the impending trial is about and the specific issues that remain on the table. The Pretrial Stipulation is surely one of the most coveted and effective pretrial devices enjoyed by the Trial Court and all involved parties. *Cf. Broche v. Cohn*, 987 So. 2d 124, 127 (Fla. 4<sup>th</sup> DCA 2008) ("A stipulation that limits the issues to be tried 'amounts to a binding waiver and elimination of all issues not included.'" (quoting *Esch v. Forester*, 123 Fla. 905, 168 So. 229, 231 (Fla. 1936)))." *Palm Beach Polo Holdings, Inc. v. Broward Marine, Inc.*, 174 So. 3d 1037, 1038 (Fla. 4<sup>th</sup> DCA 2015). The Pretrial Stipulation is "the trump card upon which all parties to any litigation can virtually always rely," and "a powerful blueprint that fully enables a well-run and fair trial." *Id.* at 1038, 1039. "Pretrial Stipulations prescribing the issues on which a case is to be tried are binding upon the parties and the Court, and should be strictly enforced." *Id.* at 1039. "It is the policy of the law to encourage and uphold stipulations in order to minimize litigation and expedite the resolution of disputes." *Spitzer v. Bartlett Bros. Roofing*, 437 So. 2d 758, 760 (Fla. 1<sup>st</sup> DCA 1983).

7. This Court joins with the Fourth DCA in *Palm Beach Polo Holdings* to “candidly acknowledge the frenzied nature of a civil (and criminal) litigation practice and the tendency of The Pretrial Stipulation process to become tedious and time-consuming. But everyone involved in the impending trial ultimately reaps huge dividends during the fast paced, adrenaline-pumping ‘final act,’ that we call the trial.” See *Palm Beach Polo Holdings*, 174 So. 3d at 1039 n. 3.

8. This case is scheduled to be tried for \_\_\_\_\_ days beginning on \_\_\_\_\_, 20\_\_\_\_. All attorneys participating in the trial and any parties planning to attend the trial shall be present by 8:30 a.m.

9. \_\_\_\_\_ shall be responsible for ordering the Court Reporter.

10. A complete set of proposed jury instructions and verdict forms were filed with the Clerk and submitted to the Court in hard copy form at the Pretrial Conference.

***[OR USE THE ALTERNATIVE PARAGRAPH BELOW IF PROPOSED JURY INSTRUCTIONS AND VERDICT FORMS WERE NOT SUBMITTED TO THE COURT AT THE PRETRIAL CONFERENCE]***

The Plaintiff(s) shall file with the Clerk and submit to the Court in hard copy form a complete set of proposed jury instructions and verdict forms by no later than 9:00 a.m. on \_\_\_\_\_, 20\_\_\_\_\_.

11. [The/Each] Plaintiff shall be entitled to \_\_\_\_ peremptory challenge(s) in the selection of the Jury, and \_\_\_\_\_ peremptory challenge(s) in the selection of the Alternate Juror(s).

12. [The/Each] Defendant shall be entitled to \_\_\_\_\_ peremptory challenge(s) in the selection of the Jury, and \_\_\_\_\_ peremptory challenge(s) in the selection of the Alternate Juror(s).

13. All attorneys participating in the trial shall familiarize themselves, and comply, with the “Trial Conduct and Courtroom Decorum” guidelines found in the “Guidelines for Professional Conduct” (See <https://floridatls.org/professionalism/henry-latimer-center-for->

[professionalism/](#)) promulgated by the Florida Bar Trial Lawyers Section and the “Division D Trial Conduct and Courtroom Decorum Policy” (See <https://flcourts18.org>) which, in part, incorporates the above referenced “Guidelines for Professional Conduct.”

**14. [INSERT WITH ADDITIONAL PARAGRAPHS ANY OTHER MATTERS CONSIDERED OR ACTIONS TAKEN DURING THE PRETRIAL CONFERENCE]**

It is further ADJUDGED that within five days from the date of eservice of this Order, the Plaintiff shall:

1. Furnish a copy of this Order to each self-represented party by U.S. Mail, first class, postage paid; and
2. File a certificate signed by Plaintiff’s counsel that delivery of this Order has been made as set forth herein.

**DONE AND ORDERED** in Chambers at Melbourne, Brevard County, Florida this \_\_\_\_\_ day of \_\_\_\_\_ 2026.

**[INSERT PRESIDING JUDGE]**  
CIRCUIT JUDGE

Copies furnished to:

CCCC