

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
OF FLORIDA

ADMINISTRATIVE ORDER NO:
25-08
SUPERSEDES 24-06 3rd AMENDED

**IN RE: CIVIL CASE MANAGEMENT AND IMPLEMENTATION OF CIVIL
DIFFERENTIATED CASE MANAGEMENT**

WHEREAS, Chief Justice Charles T. Canady issued AOSC20-23 as amended and as ordered in Florida Supreme Court No. SC2023-0962 amended December 5, 2024 which provides for case management of all civil cases and sets forth case management deadlines in each case according to the guidelines provided herein.

WHEREAS, the *Florida Rules of General Practice and Judicial Administration*, Rule 2.250, establishes reasonable time standards for the completion of cases in the trial courts.

WHEREAS, the procedures provided herein will improve the Court's ability as required by the *Florida Rules of General Practice and Judicial Administration*, Rule 2.545, to provide effective, early, and continuous control of case processing to ensure fair and prompt resolution of disputes consistent with the nature and complexity of the case.

WHEREAS, the procedures provided herein are intended to assist the participants to proactively manage time and resources during the litigation process, reduce the need for hearing time, avoid the unnecessary stress that arises during final trial preparations, and reduce the number of trial cases continued by identifying known deadlines and expectations.

WHEREAS, the Florida Supreme Court directed the Chief Judge of each circuit to issue an Administrative Order requiring a Case Management Order to be issued in every applicable civil case to establish a projected trial date in addition to various deadlines leading up to trial.

WHEREAS, the Florida Supreme Court in No. SC2023-0962 has further amended the *Florida Rules of Civil Procedure* specifically *Florida Rules of Civil Procedure* 1.200 (Case Management; Pretrial Procedure), 1.201 (Complex Litigation), 1.280 (General Provisions Governing Discovery), 1.440 (Setting

Action for Trial), and 1.460 (Motions to Continue Trial); and in SC2024-0662 regarding changes to 1.510 (Summary Judgment) and 1.202 (Conferral Prior to Filing Motions) effective January 1, 2025.

In accordance with the authority vested in the Chief Judge by Article V, section 2(d) of the *Florida Constitution*; Sections 40.001, 43.26, and 905.01, *Florida Statutes* and *Florida Rules of General Practice and Judicial Administration*, Rule 2.215 and 2.250; and *Florida Rules of Civil Procedure* 1.200, it is hereby

ORDERED AND ADJUDGED as follows:

1. This Administrative Order governs all Civil cases filed on or after February 1, 2025, both in Circuit and County Courts that follow the *Florida Rules of Civil Procedure*. However, the following case types are exempt and are not subject to the provisions of this Administrative Order:
 - a. Actions required to proceed under §51.011, *Fla. Stat.* (summary procedure);
 - b. Actions proceeding under §45.075, *Fla. Stat.*, (expedited trial).
 - c. Actions subject to the following rules:
 - i. *Florida Family Law Rules*;
 - ii. *Florida Small Claims Rules*; unless the court, under rule 7.020 (c), has ordered the action to proceed under one or more of the *Florida Rules of Civil Procedure* and the deadline for the trial date specified in rule 7.090 (d) no longer applies;
 - d. an action for review of an administrative proceeding;
 - e. eminent domain actions under Article X, §6 *Fla. Const.* or Chapters 73 and 74, *Fla. Stat.*;
 - f. Forfeiture cases;
 - g. Cases designated as complex cases under *Fla.R.Civ.P.* 1.201;
 - h. a petition for habeas corpus or any other proceeding to challenge a criminal conviction or sentence;
 - i. An action brought without an attorney by a person in the custody of the United States, a State, or a State subdivision;
 - j. An action to enforce or quash an administrative summons or subpoena;
 - k. Foreign Judgment cases;
 - l. a proceeding ancillary to a proceeding in another court;
 - m. an action to enforce an arbitration award;
 - n. an action involving an extraordinary writ or remedy under *Fla.R.Civ.P.* 1.630;
 - o. all proceedings under Chapter 56, *Fla. Stat.* for Final process; all proceedings under Chapter 415, *Fla. Stat.*, and §§393.12 and 825.1035, *Fla. Stat.* for:
 - i. adult protective services,
 - ii. capacity cases,
 - iii. appointment of guardian advocate;
 - iv. Injunction for protection against exploitation of a vulnerable adult;
 - p. Approval of minor settlements, §§744.301, 744.387, and 768.23, *Fla. Stat.*
 - q. An action or proceeding initiated under Chapters 731-736-738, and 744, *Fla. Stat.*:
 - i. Probate;
 - ii. Uniform Fiduciary Income and Principal Act;
 - iii. Guardianships

2. Initial Case Track Designation. Plaintiff shall, at the time of the initial filing of the action, make an initial designation of Case Management Track, on the Civil Case Management Track Designation Form (attached hereto as “**Exhibit A**”) indicating that the case is either Streamlined; General; or Complex based on the definitions outlined below:
 - a. **Streamlined Track:** will be Circuit Civil Non-Jury (if agreed to), all Foreclosure cases, County Civil Jury and Non-Jury cases, and Small Claims cases where the *Florida Rules of Civil Procedure* have been invoked and will be on track for disposition 12 months after the expiration of the time to perfect service of process under *Fla.R.Civ.P.* 1.070(j) (120 days). “*Streamlined*” cases should have few parties and witnesses; few anticipated pretrial motions, minimal discovery and document production; trial length no more than 3 days. Uncontested cases should generally be presumed to be streamlined cases.
 - b. **General Track:** will be Circuit Civil Jury cases, Circuit Civil Non-Jury cases and will be on track for disposition 18 months after the expiration of the time to perfect service of process under *Fla.R.Civ.P.* 1.070(j) (120 days). “*General*” cases are all other actions that do not meet the criteria for streamlined or complex.
 - c. **Complex cases:** will be Circuit Civil Jury cases, Circuit Civil Non-Jury cases and will be on track for disposition 30 months after the expiration of the time to perfect service of process under *Fla.R.Civ.P.* 1.070(j) (120 days). Parties seeking to have a case designated as complex shall initially designate the case as Complex on the Civil Case Management Designation Form, and within 20 days thereafter file an appropriate motion to declare the case complex pursuant to *Fla.R.Civ.P.* 1.201. Until such time the Court issues an order designating the case as complex, the case will proceed as, and the Court will issue, a General Case Management Order.
3. Acceptance of Case Commencement by the Clerk. For all Circuit Civil and County Civil cases subject to this Administrative Order, the Clerk of Court is directed **not to accept the initial case filing** in any case in which the Plaintiff does not submit the completed Civil Case Management Track Designation Form along with the initial filing (complaint, summons, civil cover sheet, etc.). The Clerk of Court shall notify the filer that the action is not being accepted for filing until the completed Civil Case Management Track Designation Form is submitted.
4. Issuance of Case Management Order and Projected Trial Period. After the filing of the Civil Case Management Track Designation Form, the Court will issue its Case Management Order based on the specified track (except cases designated as Complex will be issued an initial General Case Management Order until a motion is filed under *Fla.R.Civ.P.* 1.201). The parties will be subject to the Timeframes, Deadlines and Cutoff Dates that will control the management of the case as indicated in “**Exhibit B**” **Streamlined Case Management Order** and “**Exhibit C**” **General Case Management Order**. (attached hereto).
5. Issuance of Trial Order and Actual Trial Period. A Trial Order will be issued 120 days prior to the Projected trial date specified in the Case Management Order. The Trial Order will set the Actual Trial Period, the Pre- Trial Conference date, and Direct pre-trial compliance based on the Case Management

Order. Failure of the pleadings to be closed will not preclude the court from setting a case for trial. The Trial Order will provide:

- a. The trial period;
 - b. The pre-trial conference date and time;
 - c. The timeframe for the parties to meet and exchange of exhibits;
 - d. The pre-trial statement requirements and required filing date;
 - e. Any other trial requirements set forth by the assigned judge.
6. Deadlines Strictly Enforced. Deadlines in a case management order must be strictly enforced unless changed by court order. Parties may submit an agreed order to extend a deadline if the extension does not affect the ability to comply with the remaining deadlines or the Projected Trial Period in the case management order. If an extension will affect a subsequent deadline or the Projected Trial Period, the Parties may seek amendment of the Case Management Order pursuant to *Fla.R.Civ.P.* 1.200(e)(3). After an Actual Trial Period has been set by the Court; if an extension will affect a subsequent deadline the Parties may seek amendment of the Case Management Order pursuant to *Fla.R.Civ.P.* 1.200(e)(3), provided it does not affect the Actual Trial Period. If an extension will affect the Actual Trial Period, the Parties must seek a continuance of the Actual Trial Period pursuant to *Fla.R.Civ.P.* 1.460.
7. Motion for Trial. Pursuant to *Florida Rule of Civil Procedure* 1.440, for any case not subject to Rule 1.200 or 1.201; or if either party determines that the case is ready to be tried before the Projected or Actual trial date, a Motion for Trial may be filed, with a copy served on the presiding judge.
8. Small Claims Cases: Upon entry of an Order invoking the *Florida Rules of Civil Procedure*, the Court will issue a Streamlined Case Management Order.
9. Judges within the Eighteenth Judicial Circuit are directed to strictly comply with *Fla. R. Gen. Prac. & Jud. Admin.* 2.545(a), (b), and (c), which respectively require judges to conclude litigation as soon as it is reasonable and justly possible to do so, to take charge of all cases at an early stage, and to control the progress of the case thereafter until it is determined, and to apply a firm continuance policy allowing continuances only for good cause shown.
10. This Administrative Order shall be subject to modification, addition, and extension as the evolving and fluid nature of the facts and circumstances may require.
11. This Administrative Order is effective February 1, 2025.

DONE AND ORDERED on this 23rd day of January, 2025.

CHARLIE CRAWFORD
CHARLIE CRAWFORD
CHIEF JUDGE

Distribution:

All Circuit and County Judges (Brevard and Seminole Counties)

Court Administration (Brevard and Seminole Counties)

Clerk of Court (Brevard and Seminole Counties)

Public Defender (Brevard and Seminole Counties)

State Attorney (Brevard and Seminole Counties)

Sheriff (Brevard and Seminole Counties)

Bar Association (Brevard and Seminole Counties)

Law Library (Brevard and Seminole Counties)

EXHIBIT A

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR (BREVARD/SEMINOLE) COUNTY, FLORIDA

Plaintiff,

v.

Defendant.

Case No _____

CIVIL CASE MANAGEMENT TRACK DESIGNATION FORM

I. Case Track Assignment (track must be selected with a “check mark” or “X”): Case disposition times for all case tracks have been established in accordance with Rule 2.250(a)(1)(B), *Florida Rules of General Practice and Judicial Administration*.

_____ **Streamlined Track**: Case to be resolved within 12 months after the expiration of the time to perfect service of process under *Fla.R.Civ.P.* 1.070(j) (120 days). “*Streamlined*” cases should have few parties and witnesses, few anticipated pretrial motions, minimal discovery, and document production.

_____ **General Track**: Case resolved within 18 months after the expiration of the time to perfect service of process under *Fla.R.Civ.P.* 1.070(j) (120 days). “*General*” cases are all other actions that do not meet the criteria for streamlined or complex.

_____ **Complex Track**: Case to be resolved within 30 months after the expiration of the time to perfect service of process under *Fla.R.Civ.P.* 1.070(j) (120 days). The Court will issue an initial General Track Case Management Order, and thereafter parties shall comply with *Fla.R.Civ.P.* 1.201(a) by filing an appropriate motion to declare the case complex and serving such motion to the assigned judge.

II. Trial Information

- **Identification of Jury or Non-Jury Trial:** _____ **Jury Trial**; _____ **Non-Jury Trial**.
- **Estimated Length of Trial** (specify the number of trial days): _____.

I CERTIFY that the information I have provided above is accurate to the best of my knowledge and belief, and that I have read and will comply with the Court’s current Administrative Order on Case Management.

Signature: _____ Fla. Bar #(if attorney) _____
Attorney or party

Printed Name: _____ Date: _____

EXHIBIT B

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT IN AND FOR
(BREVARD/SEMINOLE) COUNTY, FLORIDA

_____,
Plaintiff,
vs
_____,
Defendant.
_____ /

CASE NO:

INITIAL CASE MANAGEMENT ORDER
(STREAMLINED TRACK)

THIS CAUSE having come before the Court upon the commencement of this action and to inform the parties of the projected trial period for this matter, and the Court’s deadlines and cutoff dates that will control the management of this action pursuant to Administrative Order AO2024-06 4th Amended, and Pursuant to the dictates of Administrative Order AOSC20-23 as amended of the Florida Supreme Court, it is hereby:

ORDERED that the following Projected trial period, pretrial conference date, deadlines and cutoff dates are applicable to this action, and that same will be strictly applied by the Court:

Case Management Abbreviations¹

I. Projected Trial Period and Pretrial Conference Date*

<i>*Not to Exceed 12 months after the date for service of process under 1.070(j).</i> <i>* To be completed by court based on Track Designation Form</i>	Projected Trial Period:	_____ (Mo/Day/Yr)
	Pre-Trial Conference date:	_____ (Mo/Day/Yr)
	Jury Trial or Non-Jury Trial:	_____
	Estimated # of Trial Days:	_____ Days
		<i>Final Date (Actual Trial Period) will be confirmed by Order Setting: Trial, Pre-Trial Conference, and Directing Pre-Trial Compliance</i>

II. Initial Meet/Confer, Discovery Disclosure and Service of Process

¹ **Abbreviations:** Plaintiff=PL; Defendant=DF; Case Management Order=CMO; Pretrial Conference=PTC

Perfect Service of Process	120 days after filing complaint or addition of party.
Perfect Service of Process under an extension	60 days after order granting extension.
<p>Initial Discovery Disclosure Irrespective if any formal discovery requests are made, each party shall provide the other party(ies) the following initial discovery disclosures unless privileged or protected:</p> <ul style="list-style-type: none"> i) name, address(if known), telephone number and email address for each individual likely to have discoverable information (including the subject matter of that information) that the disclosing party may use to support its claims and defenses; ii) a copy; or description by category and location of all documents, ESI and tangible things that the disclosing party may use to support its claims and defenses; iii) a computation for each category of economic damages claimed by the disclosing party and a copy of any supporting documentation or evidence (for non-economic damages set forth each category and provide supporting documents); iv) a copy of any insurance policy or agreement that may provide coverage indemnification for the disclosing party if found liable for a possible judgment in the action. <p>Unacceptable Excuses: A party must make its initial disclosures based on the information then reasonably available to it. A party is not excused from making its disclosures because it has not fully investigated the case or because it challenges the sufficiency of another party's disclosures or because another party has not made its disclosures.</p>	<p>60 days after each Defendant is served.</p> <p><i>(Notice of Compliance shall be filed 5 days thereafter)</i></p>

**III. Deadlines and Cutoff Dates²
(Calculated as days before Pretrial Conference Date)**

² When calculating deadlines based on the Pre-Trial Conference date, if the deadline falls on a weekend or holiday, the deadline will be taken as the last business day prior to the deadline date. *E.g.*, if 10 days prior to the Pre-Trial Conference date falls on Saturday, March 13th, the deadline for mediation to be completed would be Friday, March 12th (*not* Monday, March 15th).

<u>Deadlines and Cutoff Dates</u>	<u>Number of Days before Pretrial Conference</u>
<p>1) Plaintiff and Defendant(s) are to disclose potential fact witnesses (including treating physicians and/or non-retained experts)</p> <p><i>Exchanged between the parties to facilitate pre-trial discovery, but not filed with the Court. The formal Fact Witness List will be filed in accordance with Para. 9 below.</i></p>	<p>120 days prior to PTC date</p> <p><i>(Notice of Compliance shall be filed 5 days thereafter)</i></p>
<p>2) <u>Filing of Plaintiff Expert Witness List</u></p> <p>Regardless if Defendant propounds expert discovery, Plaintiff will disclose: Names/address; area of expertise; subject matter of expected testimony; substance of facts and opinions; summary of grounds on which opinion is based; and at least 2 available dates for deposition.</p> <p>Each party is limited to one expert per specialty. No other expert testimony should be permitted at trial.</p>	<p>120 days prior to PTC date</p>
<p>3) <u>Filing of Defendant Expert Witness List</u></p> <p>Regardless if Plaintiff propounds expert discovery, Defendant will disclose: Names/address; area of expertise; subject matter of expected testimony; substance of facts and opinions; summary of grounds on which opinion is based; and at least 2 available dates for deposition.</p> <p>Each party is limited to one expert per specialty. No other expert testimony should be permitted at trial.</p>	<p>100 days prior to PTC date</p>
<p>4) Motions to amend pleadings or add new parties to be <u>filed</u> and served</p>	<p>80 days prior to PTC date</p>
<p>5) Formal identification of <i>Fabre</i> Defendants</p>	<p>80 days prior to PTC date</p>
<p>6) <u>Filing of Plaintiff Rebuttal Expert Witness List (if applicable)</u></p> <p>Regardless if Defendant propounds expert discovery, Plaintiff will disclose: Names/address; area of expertise; subject matter of expected testimony; substance of facts and opinions; summary of grounds on which opinion is based; and at least 2 available dates for deposition.</p> <p>Each party is limited to one expert per specialty. No other expert testimony should be permitted at trial.</p>	<p>80 days prior to PTC date</p>
<p>7) Mediator and Mediation Date <u>agreed to</u></p>	<p>80 days prior to PTC date</p>

8) All CME Rule 1.360 exams completed (counsel should schedule the CME as soon as Plaintiff discloses expert witnesses and not upon approaching this deadline)	80 days prior to PTC date
9) <u>Filing</u> of Plaintiff and Defendant Fact Witness List and Exhibit List	60 days prior to PTC date
10) Disclosure of post-accident surveillance to be used at trial <i>Exchanged between the parties to facilitate pre-trial discovery, but not filed with the Court</i>	60 days prior to PTC date <i>(Notice of Compliance shall be filed 5 days thereafter)</i>
11) CME Report prepared and provided to Plaintiff (If Defendant intends to call CME Dr to testify, DF shall provide 3 available depo dates within 10 days after report)	50 days prior to PTC date
12) All dispositive motions and summary judgment motions <u>filed</u> and served	55 days prior to PTC date
13) All expert discovery and responses completed by	45 days prior to PTC date
14) All Daubert motions <u>filed</u> and served	40 days prior to PTC date
15) Completion of Fact Discovery (including Depositions)	20 days prior to PTC date
16) All Daubert Motions/Expert Objections noticed and heard (Failure to do so shall constitute a waiver at Trial of any Daubert related evidence objection or issue) Responsibility for scheduling the hearing shall be upon the party filing the Motion or Objection.	20 days prior to PTC date
17) Disclosure of all <i>Northrup</i> impeachment materials	20 days prior to PTC date
18) Plaintiff and Defendant final disclosure of all trial witnesses (Counsel should designate which of previously disclosed witnesses they intend to call at trial) <i>Exchanged between the parties to facilitate trial preparation, but not filed with the Court</i>	15 days prior to PTC date <i>(Notice of Compliance shall be filed 5 days thereafter)</i>

<p>19) Plaintiff and Defendant disclosure of all trial exhibits (Counsel should designate which of previously disclosed exhibits they intend to use at trial)</p> <p><i>Exchanged between the parties to facilitate trial preparation, but not filed with the Court</i></p>	<p>15 days prior to PTC date</p> <p><i>(Notice of Compliance shall be filed 5 days thereafter)</i></p>
<p>20) All Motions noticed and heard (except <i>Daubert</i> motions, motion for summary judgment, and motions in limine)</p>	<p>10 days prior to PTC date</p>
<p>21) Plaintiff/Defendant exchange and <u>filing</u> of Notice of Depo Designations</p>	<p>10 days prior to PTC date</p>
<p>22) All motions for summary judgment heard. (Responsibility for scheduling hearing shall be upon the party filing the Motion or Objection)</p>	<p>7 days prior to PTC date</p>
<p>23) Plaintiff/Defendant exchange and <u>filing</u> of objections and counter-designations to depo designations</p>	<p>7 days prior to PTC date</p>
<p>24) Alternative Dispute Resolution Completed</p>	<p>7 days prior to PTC date</p>
<p>25) Attorney Meet/Exchange/Inspect/Pretrial Stipulation Exchange/examine pre-trial exhibits, discuss settlement; determine stipulated facts and issues; prepare pre-trial statement/stipulation; complete pre-trial checklist and proposed pre-trial conference order; confirm witnesses and contact info; review video depo and exhibits to be used at trial; agree on jury instructions, verdict form, and exhibit logs</p>	<p>5 days prior to PTC date</p>
<p>26) Plaintiff/Defendant objections to depo designations noticed and heard*</p>	<p>*5 days prior to trial</p>
<p>27) All Motions in limine noticed and heard*</p>	<p>*5 days prior to trial</p>

IT IS FURTHER ORDERED that:

1. COMPLIANCE WITH THIS CASE MANAGEMENT ORDER: The parties shall strictly comply with the terms of this Case Management Order unless otherwise ordered by the Court. FAILURE TO COMPLY WITH ALL REQUIREMENTS OF THIS ORDER WILL RESULT IN THE IMPOSITION OF SANCTIONS.

2. ADDITIONAL EIGHTEENTH CIRCUIT AND DIVISION SPECIFIC GUIDELINES: All counsel and unrepresented parties shall familiarize themselves and comply with the requirements of the following: (i) **Amended Administrative Order Establishing the**

Eighteenth Judicial Circuit Courtroom Decorum Policy (AO 09-06); and (ii) any division-specific guidelines and policies that may be applicable.

3. **MODIFICATION OF THIS ORDER:** The parties may only alter or extend the deadlines in this Order as follows: Parties may submit an agreed order to extend a deadline if the extension does not affect the ability to comply with the remaining deadlines or the Projected Trial Period in this case management order. If an extension will affect a subsequent deadline or the Projected Trial Period, the Parties may seek amendment of this Case Management Order pursuant to *Fla.R.Civ.P.* 1.200(e)(3). After an Actual Trial Period has been set by the Court; if an extension will affect a subsequent deadline the Parties may seek amendment of this Case Management Order pursuant to *Fla.R.Civ.P.* 1.200(e)(3), *provided it does not affect the Actual Trial Period*. If an extension will affect the Actual Trial Period, the Parties must seek continuance pursuant to *Fla.R.Civ.P.* 1.460

4. **MOTIONS OR NOTICES FOR TRIAL:** Parties may file a Motion for Trial if they are ready for trial prior to the above-projected trial period or Actual Trial period pursuant to Rule 1.440. The Plaintiff shall forward a copy of the Motion for Trial to the Case Manager at the email address noted on the Eighteenth Judicial Circuit website.

5. **DISCOVERY:** All counsel and unrepresented parties shall familiarize themselves with each Division's Policies and Procedures, the current edition of the Florida Handbook on Civil Discovery Practice and seek to resolve discovery issues without court intervention whenever possible.

6. **SERVICE OF THIS ORDER:** Counsel is ordered to promptly serve and file proof with the Clerk, no more than five (5) business days from the date of this Order that all *pro se* parties, subsequently named or appearing herein, have been served copies of this Order. In the event a party is unrepresented and has not designated an email address for purposes of electronic service, counsel for Plaintiff shall be responsible for serving this Order and all future orders of the Court via a non-electronic means (U.S. mail, Federal Express or the equivalent) and shall file a Certificate of Service with the Court indicating who was served, the date of service, and the method of service (including any address or email used) within three (3) business days. If Plaintiff is unrepresented, Counsel for the Defendant shall have this same obligation. If all parties are unrepresented, the Plaintiff shall provide stamped addressed envelopes to the Court with submission of this and any other proposed Order.

DONE AND ORDERED this ____ day of _____, _____, in (Brevard/Seminole) County, Florida.

CIRCUIT JUDGE

A true and correct copy of the foregoing was distributed to all parties by filing and service via the eportal to all attorney(s)/interested parties identified on the eportal Electronic Service List.



If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator in your county at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days. If you are hearing or voice impaired, call 711.

EXHIBIT C

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT IN AND FOR
(BREVARD/SEMINOLE) COUNTY, FLORIDA

_____,
Plaintiff,
vs
_____,
Defendant.
_____ /

CASE NO:

INITIAL CASE MANAGEMENT ORDER
(GENERAL TRACK)

THIS CAUSE having come before the Court upon the commencement of this action and to inform the parties of the projected trial period for this matter, and the Court’s deadlines and cutoff dates that will control the management of this action pursuant to Administrative Order AO2024-06 4th Amended, and Pursuant to the dictates of Administrative Order AOSC20-23 as amended of the Florida Supreme Court, it is hereby:

ORDERED that the following trial period, pretrial conference date, deadlines and cutoff dates are applicable to this action, and that same will be strictly applied by the Court:

Case Management Abbreviations¹

I. Projected Trial Period and Pretrial Conference Date*

<p><i>*Not to Exceed 18 months after the date for service of process under 1.070(j).</i></p> <p>* To be completed by court based on Track Designation Form</p>	<p>Projected Trial Period: _____ (Mo/Day/Yr)</p> <p>Pre-Trial Conference date: _____ (Mo/Day/Yr)</p> <p>Jury Trial or Non-Jury Trial: _____</p> <p>Estimated # of Trial Days: _____ Days</p>	
<p><i>Final Date (Actual Trial Period) will be confirmed by Order Setting: Trial, Pre-Trial Conference, and Directing Pre-Trial Compliance</i></p>		

¹ **Abbreviations:** Plaintiff=PL; Defendant=DF; Case Management Order=CMO; Pretrial Conference=PTC

II. Initial Meet/Confer, Discovery Disclosure and Service of Process

<p>Perfect Service of Process:</p>	<p>120 days after filing complaint or addition of party.</p>
<p>Perfect Service of Process under an extension</p>	<p>60 days after order granting extension.</p>
<p>Initial Discovery Disclosure Irrespective if any formal discovery requests are made, each party shall provide the other party(ies) the following initial discovery disclosures unless privileged or protected:</p> <ul style="list-style-type: none"> i) name, address(if known), telephone number and email address for each individual likely to have discoverable information (including the subject matter of that information) that the disclosing party may use to support its claims and defenses; ii) a copy; or description by category and location of all documents, ESI and tangible things that the disclosing party may use to support its claims and defenses; iii) a computation for each category of economic damages claimed by the disclosing party and a copy of any supporting documentation or evidence (for non-economic damages set forth each category and provide supporting documents); iv) a copy of any insurance policy or agreement that may provide coverage indemnification for the disclosing party if found liable for a possible judgment in the action. <p><i>Unacceptable Excuses.</i> A party must make its initial disclosures based on the information then reasonably available to it. A party is not excused from making its disclosures because it has not fully investigated the case or because it challenges the sufficiency of another party's disclosures or because another party has not made its disclosures.</p>	<p>60 days after each defendant is served</p> <p><i>(Notice of Compliance shall be filed 5 days thereafter)</i></p>

III. Deadlines and Cutoff Dates²
(Calculated as days before Pretrial Conference Date)

<u>Deadlines and Cutoff Dates</u>	<u>Number of Days before Pretrial Conference</u>
<p>1) Plaintiff and Defendant(s) are to disclose potential fact witnesses (including treating physicians and/or non-retained experts)</p> <p><i>Exchanged between the parties to facilitate pre-trial discovery, but not filed with the Court. The formal Fact Witness List will be filed in accordance with Para. 10 below.</i></p>	<p>180 days prior to PTC date</p> <p><i>(Notice of Compliance shall be filed 5 days thereafter)</i></p>
<p>2) Disclosure and <u>filing</u> of Plaintiff Expert Witness List</p> <p>Regardless if Defendant propounds expert discovery, Plaintiff will disclose: Names/address; area of expertise; subject matter of expected testimony; substance of facts and opinions; summary of grounds on which opinion is based; and at least 2 available dates for deposition.</p> <p>Each party is limited to one expert per specialty. No other expert testimony should be permitted at trial.</p>	<p>180 days prior to PTC date</p>
<p>3) Disclosure and <u>filing</u> of Defendant Expert Witness List</p> <p>Regardless if Plaintiff propounds expert discovery, Defendant will disclose: Names/address; area of expertise; subject matter of expected testimony; substance of facts and opinions; summary of grounds on which opinion is based; and at least 2 available dates for deposition.</p> <p>Each party is limited to one expert per specialty. No other expert testimony should be permitted at trial.</p>	<p>150 days prior to PTC date</p>
<p>4) Motions to amend pleadings or add new parties, <u>filed</u> and served</p>	<p>120 days prior to PTC date</p>
<p>5) Formal identification of <i>Fabre</i> Defendants</p>	<p>120 days prior to PTC date</p>

² When calculating deadlines based on the Pre-Trial Conference date, if the deadline falls on a weekend or holiday, the deadline will be taken as the last business day prior to the deadline date. *E.g.*, if 10 days prior to the Pre-Trial Conference date falls on Saturday, March 13th, the deadline for mediation to be completed would be Friday, March 12th (not Monday, March 15th).

<p>6) <u>Filing of Plaintiff Rebuttal Experts</u> Regardless if Defendant propounds expert discovery, Plaintiff will disclose: Names/address; area of expertise; subject matter of expected testimony; substance of facts and opinions; summary of grounds on which opinion is based; and at least 2 available dates for deposition.</p> <p>Each party is limited to one expert per specialty. No other expert testimony should be permitted at trial.</p>	<p>120 days prior to PTC date</p>
<p>7) <u>Mediator and Mediation Date agreed to</u></p>	<p>120 days prior to PTC date</p>
<p>8) <u>All CME Rule 1.360 exams completed</u> (counsel should schedule the CME as soon as Plaintiff discloses expert witnesses and not upon approaching this deadline).</p>	<p>120 days prior to PTC date</p>
<p>9) <u>CME Report prepared and provided to Plaintiff</u> (If Defendant intends to call CME Dr to testify, DF shall provide 3 available depo dates within 10 days after report)</p>	<p>90 days prior to PTC date</p>
<p>10) <u>Filing of Plaintiff and Defendant Fact Witness List and Exhibit List</u></p>	<p>90 days prior to PTC date</p>
<p>11) <u>Disclosure of post-accident surveillance to be used at trial</u></p> <p><i>Exchanged between the parties to facilitate pre-trial discovery, but not filed with the Court</i></p>	<p>90 days prior to PTC date</p> <p><i>(Notice of Compliance shall be filed 5 days thereafter)</i></p>
<p>12) <u>All dispositive motions and summary judgment motions filed and served</u></p>	<p>80 days prior to PTC date</p>
<p>13) <u>All expert discovery and responses completed by</u></p>	<p>70 days prior to PTC date</p>
<p>14) <u>All Daubert motions filed and served</u></p>	<p>60 days prior to PTC date</p>
<p>15) <u>Completion of Fact Discovery (including Depositions)</u></p>	<p>30 days prior to PTC date</p>

<p>16) All Daubert Motions/Expert Objections noticed and heard (Failure to do so shall constitute a waiver at Trial of any Daubert related evidence objection or issue, absent court order).</p> <p>Responsibility for scheduling the hearing shall be upon the party filing the Motion or Objection.</p>	<p>30 days prior to PTC date</p>
<p>17) Disclosure of all <i>Northrup</i> impeachment materials</p>	<p>30 days prior to PTC date</p>
<p>18) Plaintiff and Defendant final disclosure of all trial witnesses (Counsel should designate which of previously disclosed witnesses they intend to call at trial)</p> <p><i>Exchanged between the parties to facilitate trial preparation, but not filed with the Court</i></p>	<p>20 days prior to PTC date</p> <p><i>(Notice of Compliance shall be filed 5 days thereafter)</i></p>
<p>19) Plaintiff and Defendant Disclosure of all trial exhibits (Counsel should designate which of previously disclosed exhibits they intend to use at trial)</p> <p><i>Exchanged between the parties to facilitate trial preparation, but not filed with the Court</i></p>	<p>20 days prior to PTC date</p> <p><i>(Notice of Compliance shall be filed 5 days thereafter)</i></p>
<p>20) All Motions noticed and heard (except <i>Daubert</i> motions, motion for summary judgment, and motions in limine)</p>	<p>15 days prior to PTC date</p>
<p>21) Plaintiff/Defendant exchange and <u>filing</u> of Notice of Depo Designations</p>	<p>15 days prior to PTC date</p>
<p>22) All motions for summary judgment heard (Responsibility for scheduling hearing shall be upon the party filing the Motion or Objection).</p>	<p>10 days prior to PTC date</p>
<p>23) Plaintiff/Defendant exchange and <u>filing</u> of objections and counter-designations to depo designations</p>	<p>10 days prior to PTC date</p>
<p>24) Alternative Dispute Resolution Completed</p>	<p>10 days prior to PTC date</p>
<p>25) Attorney Meet/Exchange/Inspect/Pretrial Stipulation Exchange/examine pre-trial exhibits, discuss settlement; determine stipulated facts and issues; prepare pre-trial statement/stipulation; complete pre-trial checklist and proposed pre-trial conference order; confirm witnesses and contact info; review video depo and exhibits to be used at trial; agree on jury instructions, verdict form, and exhibit logs</p>	<p>7 days prior to PTC date</p>

26) Plaintiff/Defendant objections to depo designations notice and heard*	*5 days prior to trial
27) All Motions in limine noticed and heard*	*5 days prior to trial

IT IS FURTHER ORDERED that:

1. COMPLIANCE WITH THIS CASE MANAGEMENT ORDER: The parties shall strictly comply with the terms of this Case Management Order unless otherwise ordered by the Court. **FAILURE TO COMPLY WITH ALL REQUIREMENTS OF THIS ORDER WILL RESULT IN THE IMPOSITION OF SANCTIONS.**

2. ADDITIONAL EIGHTEENTH CIRCUIT AND DIVISION SPECIFIC GUIDELINES: All counsel and unrepresented parties shall familiarize themselves and comply with the requirements of the following: (i) **Amended Administrative Order Establishing the Eighteenth Judicial Circuit Courtroom Decorum Policy (AO 09-06)**; and (ii) **any division-specific guidelines and policies that may be applicable.**

3. MODIFICATION OF THIS ORDER: The parties may only alter or extend the deadlines in this Order as follows: Parties may submit an agreed order to extend a deadline if the extension does not affect the ability to comply with the remaining deadlines or the Projected Trial Period in this case management order. If an extension will affect a subsequent deadline or the Projected Trial Period, the Parties may seek amendment of this Case Management Order pursuant to *Fla.R.Civ.P.* 1.200(e)(3). After an Actual Trial Period has been set by the Court; if an extension will affect a subsequent deadline the Parties may seek amendment of this Case Management Order pursuant to *Fla.R.Civ.P.* 1.200(e)(3), *provided it does not affect the Actual Trial Period.* If an extension will affect the Actual Trial Period, the Parties must seek continuance pursuant to *Fla.R.Civ.P.* 1.460

4. MOTIONS OR NOTICES FOR TRIAL: Parties may file a Motion for Trial if they are ready for trial prior to the above-Projected trial period or Actual Trial period pursuant to Rule 1.440. The Plaintiff shall forward a copy of the Motion for Trial to the Case Manager at the email address noted on the Eighteenth Judicial Circuit website.

5. DISCOVERY: All counsel and unrepresented parties shall familiarize themselves with each Division’s Policies and Procedures, the current edition of the Florida Handbook on Civil Discovery Practice and seek to resolve discovery issues without court intervention whenever possible.

6. SERVICE OF THIS ORDER: Counsel is ordered to promptly serve and file proof with the Clerk, no more than five (5) business days from the date of this Order that all *pro se* parties, subsequently named or appearing herein, have been served copies of this Order. In the event a party is unrepresented and has not designated an email address for purposes of electronic service, counsel for Plaintiff shall be responsible for serving this Order and all future orders of the Court via a non-electronic means (U.S. mail, Federal Express or the equivalent) and shall file a

Certificate of Service with the Court indicating who was served, the date of service, and the method of service (including any address or email used) within three (3) business days. If Plaintiff is unrepresented, Counsel for the Defendant shall have this same obligation. If all parties are unrepresented, the Plaintiff shall provide stamped addressed envelopes to the Court with submission of this and any other proposed Order.

DONE AND ORDERED this ____ day of _____, _____, in (Brevard/Seminole) County, Florida.

CIRCUIT JUDGE

A true and correct copy of the foregoing was distributed to all parties by filing and service via the eportal to all attorney(s)/interested parties identified on the eportal Electronic Service List.



If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator in your county at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days. If you are hearing or voice impaired, call 711.