

**THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 24-1
(Court Administration)**

**ADMINISTRATIVE ORDER
NO. 24-19
(Rescinding AO No. 21-08/Case No. 21-1)**

**IN RE: RE-ESTABLISHMENT OF
PROCEDURES FOR ACTIVE CASE
MANAGEMENT IN THE COUNTY
CIVIL DIVISION** /

WHEREAS, *In re: Comprehensive COVID-19 Emergency Measures for Florida Trial Courts*, Fla. S. Ct. Admin. Order No. AOSC20-23A12 (April 13, 2021) required chief judges to issue an administrative order requiring the presiding judge for each civil case (as defined in footnote 13 of AOSC20-23A12) to actively manage civil cases as specified therein; and

WHEREAS, Eleventh Judicial Circuit Administrative Order No. 21-08 was issued in accordance with AOSC20-23A12; and

WHEREAS, on May 23, 2024, the Florida Supreme Court entered, *In re Amendments to Florida Rules of Civil Procedure*, 386 So. 3d 497 (Fla. 2024), which amended certain Rules of Civil Procedure to further enhance active case management of civil cases, including amending Florida Rules of Civil Procedure 1.200 to require the Chief Judge of each Judicial Circuit to enter an administrative order addressing certain case management requirements; and

WHEREAS, on December 5, 2024, after considering comments, and oral argument regarding its May 23, 2024, opinion, the Florida Supreme Court entered *In re Amendments to Florida Rules of Civil Procedure*, No. SC2023-0962, 2024 WL 4983566 (Fla. Dec. 5, 2024), which adopted additional amendments to the Florida Rules of Civil Procedure; and

WHEREAS, the Florida Supreme Court's amendments to Rule 1.200 codifies most of the requirements of AOSC20-23A12, but modifies or refines some requirements; and

WHEREAS, the amendments adopted by the Florida Supreme Court are to become effective on January 1, 2025; and

WHEREAS, this Administrative Order is issued in accordance with the amendments to Rule 1.200 as well as the other relevant amendments to the Florida Rules of Civil Procedure; and

WHEREAS, this Administrative Order contemplates that the Florida Rules of Civil Procedure will be enforced on a consistent and just basis, that access to hearing time will be consistently and reasonably available, that counsel will utilize access to the court wisely and

appropriately, and that to the fullest extent possible, the court, counsel, and the parties will work to consistently move cases to timely resolution; and

WHEREAS, all judges within this circuit are directed to strictly comply with Florida Rules of General Practice and Judicial Administration 2.545(a), (b), and (e), which respectively require judges to conclude litigation as soon as it is reasonably 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; and

WHEREAS, the purpose of a case management order issued pursuant to this Administrative Order shall be to set a plan for consistent progress towards the timely resolution of each case and to set reasonable expectations for the client, the attorneys, and the court in every case.

NOW THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida under Rule 2.215, Florida Rules of General Practice and Judicial Administration, it is hereby **ORDERED**:

The following requirements apply to all cases in the Civil Division of the County Court filed on or after January 1, 2025, except those listed as exceptions under Rule 1.200(a).

I. CASES REQUIRING CASE MANAGEMENT ORDERS

A. Case management orders must be entered in every case to which this Administrative Order applies pursuant to Section IV below.

B. Case management orders already in effect on January 1, 2025, continue to govern pending actions. No additional case management order need be entered. However, any extensions of deadlines specified in those existing case management orders are governed by amended Rule 1.200.

II. TRACK DETERMINATION

A. Each case shall be reviewed to determine whether it is streamlined or general. Categorization is based on the amount of time and effort required to conduct discovery and prepare the case for resolution. Track assignments are not based on the monetary value of the case. The Court will assign a presumptive case management track upon filing. The Court has established presumptive track assignments set forth in the schedule attached as Exhibit A.

B. The track assignment affects the case management schedule. Where the facts of the case support a track change, parties may request a track change by motion demonstrating good cause and, with specificity, a sufficient factual basis to support a different assignment. Any motion to change the track to which a case is assigned must be filed promptly after the appearance of good cause to support the motion. A track assignment may be changed by the court on its own motion.

C. Definitions of Case Track Assignments Presumptive track assignments for cases are set forth in Exhibit A pursuant to the following criteria:

1. **Streamlined County Civil Cases** – “*Streamlined*” cases are cases that reflect some mutual knowledge about the underlying facts; they have few parties; limited need for discovery; few witnesses, well-established legal issues related to liability and damages, few anticipated dispositive pretrial motions, minimal documentary evidence, and an anticipated trial length of no more than 3 days. Uncontested cases should generally be presumed to be streamlined cases.
2. **General County Civil Cases** - “*General*” cases are all other county civil cases that do not meet the criteria for streamlined.

III. CASE MANAGEMENT ORDERS

A. Timing of Issuance

1. For All Existing Cases: For actions commenced before January 1, 2025, and in which the court has not issued a case management order by that date, a case management order must be issued by April 4, 2025.
2. For All New Cases Filed on Or After January 1, 2025: A case management order must be entered no later than 120 days after the filing of the action in accordance with Exhibit A.

B. Content

1. For each streamlined and general civil case, the case management order must at a minimum specify the deadlines for service of complaints, service under extensions, and adding new parties; and the deadlines by which: fact and expert discovery must be completed; motions for summary judgment must be filed and served; all objections to pleadings and pretrial motions must be filed and resolved; and mediation/alternative dispute resolution must be resolved. The case management order must also specify the projected date of trial; indicate that the deadlines established in the order will be strictly enforced by the court unless changed by court order; and indicate that a firm trial date will be ordered by the presiding judge no later than 45 days before the projected trial period set forth in this case management order pursuant to Florida Rules of Civil Procedure 1.440.
2. The maximum deadlines specified pursuant to this subsection, as well as the projected date of trial, must be consistent with the time standards specified in Florida Rules of General Practice and Judicial Administration 2.250(a)(1)(B) for the completion of civil cases.
3. Form case management orders for General and Streamlined pathway cases are attached as Exhibits B and C.

C. Amendment

1. Parties may seek an amended case management order within 30 days of receipt of the court’s case management order. Parties should make an effort to comply with the case

management schedule before objecting. If parties seek an amended case management order, the motion must set forth with specificity why the schedule set forth is not appropriate for the case and must propose an alternative schedule consistent with the Florida Rules of Judicial Administration and the Florida Rules of Civil Procedure. General objections having to do with attorney workload, staffing, and scheduling conflicts should be discussed with clients directly before being brought to the court; and will be given limited weight.

IV. ADDITIONAL REQUIREMENTS

A. Throughout the case management process, at all times, counsel have an obligation to meet and confer to engage in necessary scheduling and otherwise progress the case in compliance with any case management order entered under this Administrative Order.

B. Plaintiffs must serve their actions promptly. Service issues must be addressed promptly and with diligence. No extensions pursuant to Florida Rules of Civil Procedure 1.070 will be granted without specific proof of diligent effort to effect service and a written explanation of what efforts the Plaintiff intends to pursue to effect service successfully, with proposed deadlines.

C. If a trial is not reached during the trial period set by court order, the court must enter an order setting a new trial period that is as soon as practicable, given the needs of the case and resources of the court. The order resetting the trial period must reflect what further activity will or will not be permitted.

V. RESCINDING OF PREVIOUS ADMINISTRATIVE ORDER AND EFFECTIVE DATE OF THIS ADMINISTRATIVE ORDER

Administrative Order No. 21-08 is **RESCINDED** in its entirety and held for naught.

This Administrative Order will become effective on January 1, 2025, and will remain in effect until further order of the court. To the extent that any portion of this Administrative Order may be construed as conflicting with any law, statute, or rule, the law, statute, or rule will prevail.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida, this 30th day of December 2024.

**NUSHIN G. SAYFIE, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**

EXHIBIT A

CASE MANAGEMENT TRACK ASSIGNMENTS AND DEADLINES FOR CASES FILED ON OR AFTER JANUARY 1, 2025

Presumptive Assignments	
Pathway	Case Type
Streamlined Pathway	Replevin Declaratory Judgment Auto Negligence Equitable Relief Foreclosure Injunctive Relief Petition for Adverse Preliminary Hearing Civil Forfeiture
General Pathway	Personal Injury Protection Insurance Claim Contract & Indebtedness Other Negligence Other Civil Complaint

Streamlined Pathway Deadlines	
service of complaints and extensions	120 days from date of filing of the complaint unless the court grants an extension which shall not exceed 180 days from the date of filing of the complaint
adding new parties	150 days from date of filing of the complaint
fact discovery	180 days from the date of service
expert discovery	240 days from the date of service
filing of all objections to pleadings	120 days from service
resolution of all objections to pleadings	180 days from service
filing of all pretrial motions	300 days from service
resolution of all pretrial motions	330 days from service
deadline for Mediation/Alternative Dispute Resolution	300 days from service
projected date of trial	365 days from date of filing of the complaint

General Pathway Deadlines	
service of complaints and extensions	120 days from date of filing of the complaint unless the court grants an extension which shall not exceed 180 days from the date of the filing of the complaint
adding new parties	180 days from date of filing of the complaint
fact discovery	270 days from date of service
expert discovery	300 days from service
filing of all objections to pleadings	120 days from service
resolution of all objections to pleadings	180 days from service
filing of all pretrial motions	420 days from service
resolution of all pretrial motions	480 days from service
deadline for Mediation/Alternative Dispute Resolution	365 days from service
projected date of trial	540 days from date of filing of the complaint

EXHIBIT B

**IN THE COUNTY COURT OF THE
ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE
COUNTY, FLORIDA**

CASE NO:
SECTION:
JUDGE:

Plaintiff(s),

v.

Defendant(s).

_____ /

**COUNTY CIVIL UNIFORM CASE MANAGEMENT ORDER SETTING PRETRIAL
DEADLINES AND RELATED REQUIREMENTS
(GENERAL PATHWAY)**

ALL PARTIES MUST READ CAREFULLY, AS STRICT COMPLIANCE IS MANDATORY AND ALL DEADLINES WILL BE STRICTLY ENFORCED UNLESS CHANGED BY COURT ORDER .

Pursuant to amended Rule 1.200(d)(2), “the Court must issue a case management order that specifies the projected or actual trial period based on the case track assignment, consistent with administrative orders entered by the chief judge of the circuit.”

In compliance with the mandatory requirements regarding case management, the Court hereby **ORDERS** as follows:

1. The specific pretrial deadlines and requirements set forth herein will be strictly enforced unless changed by court order. Non-compliance with any part of this Order may result in sanctions including, but not limited to, striking of pleadings, monetary sanctions, waiver and/or default. It is the parties’ responsibility to promptly and timely schedule hearings on filed motions.
2. The deadlines contained in this Order cannot be waived or extended by stipulation of the parties and remain in effect unless changed by court order. Settlement negotiations are not a basis for tolling any deadlines set forth in this order. The parties may request the extension of deadlines in accordance with Rule 1.200(e). Rule 1.200(e)(1) provides that: *“parties may submit an agreed order to extend a deadline if the extension does not affect the ability to comply with the remaining dates in the case management order. If extending*

an individual case management deadline may affect a subsequent deadline in the case management order; parties must seek an amendment of the case management order, rather than submitting a motion for extension of an individual deadline.” Any motions to extend a deadline, amend a case management order, or alter a projected trial period must comply with the requirements of Rule 1.200(e)(3); Specifically, such motions must specify:

- the basis of the need for the extension, including when the basis became known to the movant;
 - whether the motion is opposed;
 - the specific date to which the movant is requesting the deadline or projected trial period be extended, and whether that date is agreed by all parties; and
 - the action and specific dates for the action that will enable the movant to meet the proposed new deadline or projected trial period, including, but not limited to, confirming the specific date any required participants such as third-party witnesses or experts are available.
3. In accordance with Rule 1.202(a), before filing a non-dispositive motion, except for those motions exempted by Rule 1.202(c), the movant must confer with the opposing party in a good-faith effort to resolve the issues raised in the motion. At the end of the motion, the movant must file a certificate of conferral substantially in the form provided by Rule 1.202(b), either certifying that conferral occurred or certifying that conferral is not required under the Rule. Failure to comply with the requirements of Rule 1.202 may result in an appropriate sanction, including denial of a motion without prejudice. The purposeful evasion of communication under Rule 1.202 may result in an appropriate sanction.
 4. In the event parties are unable to coordinate any non-dispositive and non-evidentiary hearing, deposition, or motion within a reasonable period of time (not less than 72 hours) and after 3 documented attempts, the moving party shall unilaterally set the issue for hearing pursuant to divisional instructions to occur no less than 14 days and no more than 45 days after the third attempt.
 5. Notices of Unavailability: Notices of unavailability have no effect on the deadlines set by the case management order. If a party is unable to comply with a deadline in a case management order, the party must take action consistent with subdivision (e)(1) of Rule 1.200.
 6. Inability to Meet Case Management Deadlines: if any party is unable to meet the deadlines set by the case management order for any reason, including due to the unavailability of hearing time, the affected party may promptly set a case management conference and alert

the Court. A party choosing to set a case management conference for this reason, must do so prior to the expiration of the deadline or deadlines unable to be met, and must alert the Court. The notice of case management conference must identify the issues to be addressed in the case management conference.

7. Timing and Sequence of Discovery:

- A party may not seek discovery from any source before that party's initial disclosure obligations are satisfied, except when authorized by these rules, by stipulation, or by court order.
- Except as provided in subdivision (c)(5) of Rule 1.280 or unless the parties stipulate or the court orders otherwise, methods of discovery may be used in any sequence, and the fact that a party is conducting discovery, whether by deposition or otherwise, must not delay any other party's discovery.

8. Settlement: Counsel must immediately notify the Court in the event of settlement and submit a stipulation of settlement and order of dismissal. Counsel must also notify the Court of any pending hearings that will be canceled as a result of the settlement.

The following litigation deadlines are set pursuant to Rule 1.200(d)(2)(A-I) and Rule 1.280:

A. SERVICE: Plaintiff must serve their actions promptly by _____ and in compliance with Florida Rules of Civil Procedure 1.070.

- Service issues must be addressed promptly and with diligence.
- Motions for extension must be filed prior to the expiration of this deadline.
- No extensions pursuant to Florida Rules of Civil Procedure 1.070 will be granted without specific proof of diligent effort to effect service and a written explanation of what efforts the Plaintiff intends to pursue to effect service successfully, with proposed deadlines.

B. SERVICE UNDER EXTENSIONS:

- If a party fails to serve a defendant by the date specified in an order granting an extension, the Court will dismiss the action against that defendant without further notice.

- If a party asserts good cause or excusable neglect to excuse its failure to serve a defendant by an extended deadline, the party may file an additional motion for extension (or if the case has already been dismissed, a motion to vacate the order of dismissal) detailing the good cause or excusable neglect.
- In any event, no extension to serve a defendant beyond _____ will be allowed.

C. ADDITION OF NEW PARTIES: shall occur by _____.

D. INITIAL DISCOVERY DISCLOSURES (Rule 1.280(a)(1)(A)): The following must be provided within 60 days after the service of the complaint or joinder, unless a different time is set by Court order. Except as exempted by subdivision (a)(2) or as ordered by the Court, a party must, without awaiting a discovery request, provide to the other parties the following initial discovery disclosures unless privileged or protected from disclosure:

- the name and, if known, the address, telephone number, and email address of each individual likely to have discoverable information- along with the subjects of that information-that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment;
- a copy- or a description by category and location- of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control (or if not in the disclosing party's possession, custody, or control, a description by category and location of such information) and may use to support its claims or defenses, unless the use would be solely for impeachment;
- a computation for each category of damages claimed by the disclosing party and a copy of the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered; provided that a party is not required to provide computations as to noneconomic damages, but the party must identify categories of damages claimed and provide supporting documents; and
- a copy of any insurance policy or agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

BASIS FOR INITIAL DISCOVERY DISCLOSURE; UNACCEPTABLE EXCUSES; OBJECTIONS: a party must make its initial discovery disclosures based on the information then reasonably available to it. A party is not excused from making its initial discovery disclosure because it has not fully investigated the case or because it challenges the sufficiency of another party's initial discovery disclosures or because another party has not made its initial discovery disclosures. A party who formally objects to providing certain information is not excused from making all other initial discovery disclosures required by this rule in a timely manner.

If a party fails to make a disclosure required by Rule 1.280(a), any other party may move to compel disclosure and for appropriate sanctions.

- E. FACT WITNESS LISTS: must be filed 60 days from the date of service. The fact witness list must contain the name and, if known, the address, telephone number, and email address of all non-expert witnesses. *Generic descriptions such as "police officer", "records custodian," "insured", "claimant," "engineer," "claims adjuster," may, in the Court's discretion, be stricken from the witness list.* All witness lists must include a brief description of the substance and scope of the testimony to be elicited. Within 30 days of discovering previously unknown witnesses, either party may seek leave of Court to amend their witness list.
- F. EXHIBIT LIST: must be filed 15 days before calendar call. The exhibit list must disclose a list of all documentary and physical evidence intended to be used at trial. Each item must be specifically described and listed by number and description. General descriptions of exhibits are subject to being stricken. All listed exhibits must have been made available to opposing counsel for examination and copying.
- G. COMPLETION OF FACT DISCOVERY: must occur by 270 days from the date of service. This includes the propounding of and response to verified interrogatories, the production of documents, and the completion of depositions. All inspections, depositions, and examinations must be completed no later than the date specified above. The parties must timely coordinate the scheduling and setting of depositions for all witnesses and/or parties they intend to depose.
- H. COMPLETION OF EXPERT DISCOVERY: must occur by 300 days from the date of service. Specifically, parties must disclose all expert witnesses to be called at trial, including their names and all information regarding their testimony, as well as the address, telephone number, and email address of each. This includes disclosing the expert's area of expertise and serving a copy of each expert's reports (if such a report exists) or answers to expert interrogatories (if propounded). Each party is limited to one expert per specialty. No

other expert testimony will be permitted at trial. All inspections, depositions, and examinations must be completed no later than the date specified above. The parties must timely coordinate the scheduling and setting of depositions for all witnesses and/or parties they intend to depose.

- I. SUPPLEMENTAL RESPONSES: A party who has made a disclosure or has responded to any type of discovery, must supplement or correct its disclosure or response in a timely manner if the party learns that in some material respect the disclosure or response is incomplete or incorrect, and if the additional or corrective information has not otherwise been made known to the other parties during the discovery process or in writing or as ordered by the Court.
- J. MOTIONS FOR SUMMARY JUDGMENT: must be filed and served no later than 335 days from the date of service. Responses to Motions for summary judgment must be filed no later than 40 days after service of the motion for summary judgment. If the non-movant fails to respond to the motion for summary judgment, the court may consider the facts asserted in the motion undisputed for purposes of the motion and, if the motion and supporting materials--including the facts considered undisputed--show that the movant is entitled to it, grant summary judgment. Any hearing on a motion for summary judgment must be set for a date at least 10 days after the deadline for serving a response, unless the parties stipulate or the court orders otherwise.
- K. DAUBERT HEARINGS: must be heard no later than 395 days from service.
- L. FILING AND RESOLUTION OF ALL OBJECTIONS TO PLEADINGS: must be filed no later than 120 days from service; must be heard no later than 180 days from service. Any motion not filed and heard prior to the expiration of this deadline may be deemed abandoned or denied absent extraordinary circumstances which could not have been prudently anticipated, or by order of the Court entered prior to the expiration of the applicable time limitation.
- M. FILING AND RESOLUTION OF ALL PRETRIAL MOTIONS: All pretrial motions must be filed no later than 420 days from service and must be heard no later than 480 days from service.
- N. FILING OF MOTIONS IN LIMINE: Motions in limine must be filed no later than 480 days from service.
- O. COMPLETION OF ALTERNATIVE DISPUTE RESOLUTION: must be completed no later than 365 days from service. The parties must comply with Florida Rules of Civil Procedure 1.700, 1.710, 1.720, 1.730, and 1.750 as to the conduct of mediation. Costs of

mediation will be borne equally by both parties. Failure to mediate in good faith may result in the imposition of monetary sanctions.

- P. TRIAL: The projected date of trial is _____. A firm trial date must be issued by the Court no later than 45 days before the projected trial period set forth in this case management order.
- MOTIONS FOR CONTINUANCE OF TRIAL: Motions to continue trial are disfavored and should rarely be granted and then only upon good cause shown. Successive continuances are highly disfavored. Lack of due diligence in preparing for trial is not grounds to continue the case. Motions for continuance based on parental leave are governed by Florida Rules of General Practice and Judicial Administration 2.570.
 - Motion for Continuance Requirements: A motion to continue trial must be in writing unless made at a trial and, except for good cause shown, must be signed by the named party requesting the continuance. The motion must be filed promptly after the appearance of good cause to support such motion. Failure to promptly request a continuance may be a basis for denying the motion to continue. The moving party or counsel must make reasonable efforts to confer with the non-moving party or opposing counsel about the need for a continuance, and the non-moving party or opposing counsel must cooperate in responding and holding a conference. All motions for continuance, even if agreed, must state with specificity: the basis of the need for the continuance, including when the basis became known to the movant; whether the motion is opposed; the action and specific dates for the action that will enable the movant to be ready for trial by the proposed date, including, but not limited to, confirming the specific date any required participants (such as third party witnesses or experts) are available; and the proposed date by which the case will be ready for trial and whether that date is agreed by all parties. If the required conference did not occur, the motion must explain the dates and methods of the efforts to confer. Failure to confer by any party or attorney under this requirement may result in sanctions.
 - Trials that are not reached during the trial period set by Court order will be set in a new trial period that is as soon as practicable.
- Q. CASE MANAGEMENT CONFERENCES: will be set by the individual judges pursuant to their division procedures found on their website.

R. JOINT PRETRIAL STIPULATION: A Joint Pretrial Stipulation must be filed by all parties (via counsel of record) at least seven calendar days before the scheduled calendar call. All parties must cooperate in good faith in preparation of the Joint Pretrial Stipulation. Unilateral pretrial stipulations will not be accepted. The single, unified submission must contain the following information in separately numbered paragraphs or sections:

- Stipulated Statement of Facts: A list of those facts that can be stipulated to and require no proof at the trial, together with a concise, impartial statement of the facts of the case.
- Statements of Disputed Law & Fact: Those issues of law and fact that are to be tried.
- Jury Instructions: If the trial is a jury trial, counsel must identify and attach all agreed upon standard instructions and all special instructions. Any disputed jury instructions must be attached and identified as to the party that proposed the instruction, along with copies of supporting case law.
- Verdict Forms: If the trial is a jury trial, the proposed jury verdict forms must be attached and designated as agreed to or disputed.
- Motions in Limine: Each party must make any anticipated motion(s) in limine indicating all stipulations/agreed items and any motion(s) in limine requiring a Court ruling.
- Trial Estimate: Each party must provide an estimate of the number of days for trial.
- Other issues: The parties must list any other issue that could potentially take up unnecessary time during the trial to facilitate the resolution of those matters prior to the trial date.

DONE AND ORDERED in Chambers, at Miami-Dade County, Florida, on this _____ day of _____.

COUNTY COURT JUDGE

EXHIBIT C

**IN THE COUNTY COURT OF THE
ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE
COUNTY, FLORIDA**

CASE NO:
SECTION:
JUDGE:

Plaintiff(s),

v.

Defendant(s).

_____ /

**COUNTY CIVIL UNIFORM CASE MANAGEMENT ORDER SETTING PRETRIAL
DEADLINES AND RELATED REQUIREMENTS
(STREAMLINED PATHWAY)**

ALL PARTIES MUST READ CAREFULLY, AS STRICT COMPLIANCE IS MANDATORY AND ALL DEADLINES WILL BE STRICTLY ENFORCED UNLESS CHANGED BY COURT ORDER .

Pursuant to amended Rule 1.200(d)(2), “the Court must issue a case management order that specifies the projected or actual trial period based on the case track assignment, consistent with administrative orders entered by the chief judge of the circuit.”

In compliance with the mandatory requirements regarding case management, the Court hereby **ORDERS** as follows:

1. The specific pretrial deadlines and requirements set forth herein will be strictly enforced unless changed by court order. Non-compliance with any part of this Order may result in sanctions including, but not limited to, striking of pleadings, monetary sanctions, waiver and/or default. It is the parties’ responsibility to promptly and timely schedule hearings on filed motions.
2. The deadlines contained in this Order cannot be waived or extended by stipulation of the parties and remain in effect unless changed by court order. Settlement negotiations are not a basis for tolling any deadlines set forth in this order. The parties may request the extension of deadlines in accordance with Rule 1.200(e). Rule 1.200(e)(1) provides that: *“parties may submit an agreed order to extend a deadline if the extension does not affect*

the ability to comply with the remaining dates in the case management order. If extending an individual case management deadline may affect a subsequent deadline in the case management order, parties must seek an amendment of the case management order, rather than submitting a motion for extension of an individual deadline.” Any motions to extend a deadline, amend a case management order, or alter a projected trial period must comply with the requirements of Rule 1.200(e)(3); Specifically, such motions must specify:

- the basis of the need for the extension, including when the basis became known to the movant;
 - whether the motion is opposed;
 - the specific date to which the movant is requesting the deadline or projected trial period be extended, and whether that date is agreed by all parties; and
 - the action and specific dates for the action that will enable the movant to meet the proposed new deadline or projected trial period, including, but not limited to, confirming the specific date any required participants such as third-party witnesses or experts are available.
3. In accordance with Rule 1.202(a), before filing a non-dispositive motion, except for those motions exempted by Rule 1.202(c), the movant must confer with the opposing party in a good-faith effort to resolve the issues raised in the motion. At the end of the motion, the movant must file a certificate of conferral substantially in the form provided by Rule 1.202(b), either certifying that conferral occurred or certifying that conferral is not required under Rule 1.202. Failure to comply with the requirements of Rule 1.202 may result in an appropriate sanction, including denial of a motion without prejudice. The purposeful evasion of communication under Rule 1.202 may result in an appropriate sanction.
 4. In the event parties are unable to coordinate any non-dispositive and non-evidentiary hearing, deposition, or motion within a reasonable period of time (not less than 72 hours) and after 3 documented attempts, the moving party shall unilaterally set the issue for hearing pursuant to divisional instructions to occur no less than 14 days and no more than 45 days after the third attempt.
 5. Notices of Unavailability: Notices of unavailability have no effect on the deadlines set by the case management order. If a party is unable to comply with a deadline in a case management order, the party must take action consistent with subdivision (e)(1) of Rule 1.200.
 6. Inability to Meet Case Management Deadlines: if any party is unable to meet the deadlines set by the case management order for any reason, including due to the unavailability of

hearing time, the affected party may promptly set a case management conference and alert the Court. A party choosing to set a case management conference for this reason, must do so prior to the expiration of the deadline or deadlines unable to be met, and must alert the Court. The notice of case management conference must identify the issues to be addressed in the case management conference.

7. Timing and Sequence of Discovery:

- A party may not seek discovery from any source before that party's initial disclosure obligations are satisfied, except when authorized by these rules, by stipulation, or by court order.
- Except as provided in subdivision (c)(5) of Rule 1.280 or unless the parties stipulate or the court orders otherwise, methods of discovery may be used in any sequence, and the fact that a party is conducting discovery, whether by deposition or otherwise, must not delay any other party's discovery.

8. Settlement: Counsel must immediately notify the Court in the event of settlement and submit a stipulation of settlement and order of dismissal. Counsel must also notify the Court of any pending hearings that will be canceled as a result of the settlement.

The following litigation deadlines are set pursuant to Rule 1.200(d)(2)(A-I) and Rule 1.280:

A. SERVICE: Plaintiff must serve their actions promptly by _____ and in compliance with Florida Rules of Civil Procedure 1.070.

- Service issues must be addressed promptly and with diligence.
- Motions for extension must be filed prior to the expiration of this deadline.
- No extensions pursuant to Florida Rules of Civil Procedure 1.070 will be granted without specific proof of diligent effort to effect service and a written explanation of what efforts the Plaintiff intends to pursue to effect service successfully, with proposed deadlines.

B. SERVICE UNDER EXTENSIONS:

- If a party fails to serve a defendant by the date specified in an order granting an extension, the Court will dismiss the action against that defendant without further notice.

- If a party asserts good cause or excusable neglect to excuse its failure to serve a defendant by an extended deadline, the party may file an additional motion for extension (or if the case has already been dismissed, a motion to vacate the order of dismissal) detailing the good cause or excusable neglect.
- In any event, no extension to serve a defendant beyond _____ will be allowed.

C. ADDITION OF NEW PARTIES: shall occur by _____.

D. INITIAL DISCOVERY DISCLOSURES (Rule 1.280(a)(1)(A)): The following must be provided within 60 days after the service of the complaint or joinder, unless a different time is set by Court order. Except as exempted by subdivision (a)(2) or as ordered by the Court, a party must, without awaiting a discovery request, provide to the other parties the following initial discovery disclosures unless privileged or protected from disclosure:

- the name and, if known, the address, telephone number, and email address of each individual likely to have discoverable information- along with the subjects of that information-that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment;
- a copy- or a description by category and location- of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control (or if not in the disclosing party's possession, custody, or control, a description by category and location of such information) and may use to support its claims or defenses, unless the use would be solely for impeachment;
- a computation for each category of damages claimed by the disclosing party and a copy of the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered; provided that a party is not required to provide computations as to noneconomic damages, but the party must identify categories of damages claimed and provide supporting documents; and
- a copy of any insurance policy or agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

BASIS FOR INITIAL DISCOVERY DISCLOSURE; UNACCEPTABLE EXCUSES; OBJECTIONS: a party must make its initial discovery disclosures based on the information then reasonably available to it. A party is not excused from making its initial discovery disclosure because it has not fully investigated the case or because it challenges the sufficiency of another party's initial discovery disclosures or because another party has not made its initial discovery disclosures. A party who formally objects to providing certain information is not excused from making all other initial discovery disclosures required by this rule in a timely manner.

If a party fails to make a disclosure required by Rule 1.280(a), any other party may move to compel disclosure and for appropriate sanctions.

- E. FACT WITNESS LISTS: must be filed 60 days from the date of service. The fact witness list must contain the name and, if known, the address, telephone number, and email address of all non-expert witnesses. *Generic descriptions such as "police officer", "records custodian," "insured", "claimant," "engineer," "claims adjuster," may, in the Court's discretion, be stricken from the witness list.* All witness lists must include a brief description of the substance and scope of the testimony to be elicited. Within 30 days of discovering previously unknown witnesses, either party may seek leave of Court to amend their witness list.
- F. EXHIBIT LIST: must be filed 15 days before calendar call. The exhibit list must disclose a list of all documentary and physical evidence intended to be used at trial. Each item must be specifically described and listed by number and description. General descriptions of exhibits are subject to being stricken. All listed exhibits must have been made available to opposing counsel for examination and copying.
- G. COMPLETION OF FACT DISCOVERY: must occur by 180 days from the date of service. This includes the propounding of and response to verified interrogatories, the production of documents, and the completion of depositions. All inspections, depositions, and examinations must be completed no later than the date specified above. The parties must timely coordinate the scheduling and setting of depositions for all witnesses and/or parties they intend to depose.
- H. COMPLETION OF EXPERT DISCOVERY: must occur by 240 days from the date of service. Specifically, parties must disclose all expert witnesses to be called at trial, including their names and all information regarding their testimony, as well as the address, telephone number, and email address of each. This includes disclosing the expert's area of expertise and serving a copy of each expert's reports (if such a report exists) or answers to expert interrogatories (if propounded). Each party is limited to one expert per specialty. No

other expert testimony will be permitted at trial. All inspections, depositions, and examinations must be completed no later than the date specified above. The parties must timely coordinate the scheduling and setting of depositions for all witnesses and/or parties they intend to depose.

- I. SUPPLEMENTAL RESPONSES: A party who has made a disclosure or has responded to any type of discovery, must supplement or correct its disclosure or response in a timely manner if the party learns that in some material respect the disclosure or response is incomplete or incorrect, and if the additional or corrective information has not otherwise been made known to the other parties during the discovery process or in writing or as ordered by the Court.
- J. MOTIONS FOR SUMMARY JUDGMENT: must be filed and served no later than 270 days from the date of service. Responses to Motions for summary judgment must be filed no later than 40 days after service of the motion for summary judgment. If the non-movant fails to respond to the motion for summary judgment, the court may consider the facts asserted in the motion undisputed for purposes of the motion and, if the motion and supporting materials--including the facts considered undisputed--show that the movant is entitled to it, grant summary judgment. Any hearing on a motion for summary judgment must be set for a date at least 10 days after the deadline for serving a response, unless the parties stipulate or the court orders otherwise.
- K. DAUBERT HEARINGS: must be heard no later than 300 days from service.
- L. FILING AND RESOLUTION OF ALL OBJECTIONS TO PLEADINGS: must be filed no later than 120 days from service; must be heard no later than 180 days from service. Any motion not filed and heard prior to the expiration of this deadline may be deemed abandoned or denied absent extraordinary circumstances which could not have been prudently anticipated, or by order of the Court entered prior to the expiration of the applicable time limitation.
- M. FILING AND RESOLUTION OF ALL PRETRIAL MOTIONS: All pretrial motions must be filed no later than 300 days from service and must be heard no later than 330 days from service.
- N. FILING OF MOTIONS IN LIMINE: Motions in limine must be filed no later than 300 days from service.
- O. COMPLETION OF ALTERNATIVE DISPUTE RESOLUTION: must be completed no later than 300 days from service. The parties must comply with Florida Rules of Civil Procedure 1.700, 1.710, 1.720, 1.730, and 1.750 as to the conduct of mediation. Costs of

mediation will be borne equally by both parties. Failure to mediate in good faith may result in the imposition of monetary sanctions.

- P. TRIAL: The projected date of trial is _____. A firm trial date must be issued by the Court no later than 45 days before the projected trial period set forth in this case management order.
- **MOTIONS FOR CONTINUANCE OF TRIAL**: Motions to continue trial are disfavored and should rarely be granted and then only upon good cause shown. Successive continuances are highly disfavored. Lack of due diligence in preparing for trial is not grounds to continue the case. Motions for continuance based on parental leave are governed by Florida Rules of General Practice and Judicial Administration 2.570.
 - **Motion for Continuance Requirements**: A motion to continue trial must be in writing unless made at a trial and, except for good cause shown, must be signed by the named party requesting the continuance. The motion must be filed promptly after the appearance of good cause to support such motion. Failure to promptly request a continuance may be a basis for denying the motion to continue. The moving party or counsel must make reasonable efforts to confer with the non-moving party or opposing counsel about the need for a continuance, and the non-moving party or opposing counsel must cooperate in responding and holding a conference. All motions for continuance, even if agreed, must state with specificity: the basis of the need for the continuance, including when the basis became known to the movant; whether the motion is opposed; the action and specific dates for the action that will enable the movant to be ready for trial by the proposed date, including, but not limited to, confirming the specific date any required participants (such as third party witnesses or experts) are available; and the proposed date by which the case will be ready for trial and whether that date is agreed by all parties. If the required conference did not occur, the motion must explain the dates and methods of the efforts to confer. Failure to confer by any party or attorney under this requirement may result in sanctions.
 - Trials that are not reached during the trial period set by Court order will be set in a new trial period that is as soon as practicable.
- Q. CASE MANAGEMENT CONFERENCES: will be set by the individual judges pursuant to their division procedures found on their website.

R. JOINT PRETRIAL STIPULATION: A Joint Pretrial Stipulation must be filed by all parties (via counsel of record) at least seven calendar days before the scheduled calendar call. All parties must cooperate in good faith in preparation of the Joint Pretrial Stipulation. Unilateral pretrial stipulations will not be accepted. The single, unified submission must contain the following information in separately numbered paragraphs or sections:

- Stipulated Statement of Facts: A list of those facts that can be stipulated to and require no proof at the trial, together with a concise, impartial statement of the facts of the case.
- Statements of Disputed Law & Fact: Those issues of law and fact that are to be tried.
- Jury Instructions: If the trial is a jury trial, counsel must identify and attach all agreed upon standard instructions and all special instructions. Any disputed jury instructions must be attached and identified as to the party that proposed the instruction, along with copies of supporting case law.
- Verdict Forms: If the trial is a jury trial, the proposed jury verdict forms must be attached and designated as agreed to or disputed.
- Motions in Limine: Each party must make any anticipated motion(s) in limine indicating all stipulations/agreed items and any motion(s) in limine requiring a Court ruling.
- Trial Estimate: Each party must provide an estimate of the number of days for trial.
- Other issues: The parties must list any other issue that could potentially take up unnecessary time during the trial to facilitate the resolution of those matters prior to the trial date.

S. If the parties believe that this case should proceed under a General Pathway case management order instead of this Streamlined Pathway case management order, parties may request a track change by motion demonstrating good cause and, setting forth, with specificity, a sufficient factual basis to support the different assignment. Any motion to change the track to which a case is assigned must be filed within 10 days of receipt of this

order, or promptly after the appearance of good cause to support the motion. A track assignment may be changed by the court on its own motion.

DONE AND ORDERED in Chambers, at Miami-Dade County, Florida, on this _____ day of _____.

COUNTY COURT JUDGE