



IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT  
 IN AND FOR HILLSBOROUGH COUNTY, STATE OF FLORIDA  
 GENERAL CIVIL DIVISION

Petitioner, CASE NO.

vs. DIVISION:

Respondent(s) Parcel(s)

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**EMINENT DOMAIN UNIFORM PRE-TRIAL CONFERENCE ORDER**  
*(Revised March 5<sup>th</sup>, 2003)*

Pursuant to paragraph 12 of this court’s previously entered UNIFORM ORDER SETTING TRIAL, PRE-TRIAL CONFERENCE AND CASE MANAGEMENT CONFERENCE FOR EMINENT DOMAIN CASES, the undersigned have met and drafted this UNIFORM PRE-TRIAL CONFERENCE ORDER:

\_\_\_\_\_, for Petitioner  
 (signature)

\_\_\_\_\_, for Respondent  
 (signature)

It is therefore **ORDERED AND ADJUDGED** as follows:

1. The Parcels included in this case as listed below are scheduled for Trial with separate verdicts and separate judgments to be entered as to each Parcel.
2. The parcels are set for trial during the week beginning \_\_\_\_\_,  
 and shall be tried in the following order:

**PARCEL(S)**

**OWNER**

**ATTORNEY**

3. Issues as to each parcel:

**PARCEL(S)**

**ISSUES**

4. The size of the respective parcels are as follows:

**PARCEL(S)**

**PARENT TRACT**

**AREA ACQUIRED**

**AREA REMAINING**

5. A jury of twelve persons will be empaneled to try this case.

6. Peremptory challenges will be \_\_\_\_ for each Defendant ownership and \_\_\_\_ for the  
Petitioner.

7. There will be no alternative jurors and if the Court excuses not more than two jurors for cause, the case will be tried to the balance of the jury.

8. Prior to the trial, counsel shall confer as to any agreement that may be reached on the jury instructions and verdict forms and such jury instructions and verdicts forms shall be submitted to the Court on Friday preceding the trial. Each instruction shall be on a separate sheet of paper.

9. All cases shall be tried together, but there shall be separate verdicts and separate judgments as to each parcel. Special verdicts will be provided pursuant to Section 73.081, Florida Statutes. The Petitioner shall prepare a proper form for the verdict.

10. The date of valuation for purposes of the trial of these Parcels is deemed to be:

\_\_\_\_\_.

11. View of the Parcel site(s), if demanded, will be taken at the close of all testimony and before closing argument(s) of counsel. Petitioner shall have the area taken as to each Parcel appropriately marked and outlined and shall provide transportation and a guide for the view.

12. The number of expert witnesses as to value is limited to \_\_\_\_\_ for each Parcel. The number of expert witnesses as to any other issue will be limited to \_\_\_\_\_ for each parcel.

13. All parties have filed their Witness List and Exhibit List with the Court, and opposing counsel has received a copy of such list.

14. All depositions and discovery procedures have ceased pursuant to the Order Setting Trial, Pre-Trial Conference and Case Management Conference.

15. Prior to the trial, the parties shall meet for the purpose of agreeing insofar as possible to the admissibility of photographs, engineering drawings, maps, documents, appraisals and other written reports and other exhibits and have the Clerk mark them as exhibits in evidence prior to start of trial.

16. The Petitioner may make a general opening statement as to the Project at the opening of trial and a special opening statement as to each parcel at the commencement of trial of each Parcel. The attorneys for Defendants may make an opening statement at the commencement of the trial of each Parcel. The Court will determine at the close of evidence at the end of trial which party as to each Parcel has the privilege of opening and closing for final arguments.

17. Time allowed for each opening statement: \_\_\_\_\_

18. Time allowed for each closing statement: \_\_\_\_\_

19. All comparable sales maps may show date of sale, names of parties, total consideration and unit price.

20. Throughout the trial, Petitioner shall have in the Court a full set of its complete construction plans, which may be used in evidence by any party, if relevant.

21. The parties agree that a correct legal description of the area of each Parcel taken is contained in the Order of Taking or an Amendment thereto.

22. Necessity or desirability of amendments to pleadings:

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23. Admissions or stipulations to avoid unnecessary proof: \_\_\_\_\_

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24. Any problems with attendance of witnesses: \_\_\_\_\_

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25. Judicial notice is taken of all relevant sections of Chapters 73, 74 and 127, Florida Statutes. Further judicial notice is taken of: \_\_\_\_\_

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26. Concise statement of any disputed issues of law, evidence, or procedure for the court to determine (*each counsel shall also attach a statement of position as to each issue together with supporting legal citations and a copy of each case cited*):

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27. Estimated length of trial: \_\_\_\_\_

28. Resolution of any objections to depositions to be read into evidence:

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29. Settlement possibilities: \_\_\_\_\_

30. Immediately upon settlement of any Parcel in this cause, the attorneys shall notify this Court of the settlement.

31. Attorney's fees and costs will be determined and entered by the Court in a supplemental proceeding following the trial.

32. Presentation aids: Audio visual equipment and multi-media technology and personnel will be utilized and provided, during trial, as indicated on the attached Technology Equipment and Personnel Checklist (Attachment "A"). Any party requesting that any audio visual equipment and multi-media technology or personnel be provided by the Court Business Center (CBC) shall contact CBC (813 272-5520) at least 7 days prior to the pretrial conference in order to reserve such equipment and personnel, and to obtain a cost estimate and make any necessary financial arrangements. Any party requesting CBC equipment or personnel shall provide CBC with a copy of the attached Technology Equipment and Personnel Checklist (Attachment "A") at least 7 days prior to the pretrial conference.

33. The court reporter at trial will be:

- a. (Name)
- b. (Address)
- c. (Telephone)

34. The parties will be bound by the foregoing at the trial unless this Order is modified by the Court to prevent manifest injustice.

35. \_\_\_\_\_

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**DONE AND ORDERED** in Chambers at Tampa, Hillsborough County, Florida, this  
\_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

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**CIRCUIT COURT JUDGE**

Copies Furnished to:

**Technology Equipment and Personnel Checklist**

Presentation aids: The following audio visual equipment and multi-media technology and personnel will be utilized during trial, and provided as indicated:

<b><u>Equipment &amp; Personnel</u></b>	<b><u>To be provided by litigant</u></b>	<b><u>Court Business Center</u></b>
<b>Flat Screen Plasma Displays</b> (18", 33" or 50" screen)	_____	_____
<b>Projection Devices</b> (overhead projector and screen, electronic whiteboard, LCD data projectors & screens, x-ray view box, video-tape player)	_____	_____
<b>Media Presentation Formats</b> (CD ROM, DVD, TV/VHS combo, 3.5 floppy, VHS, audio cassette)	_____	_____
<b>Other Electronic Presentation Aids</b> (monitors, lap top computers, teleconferencing): _____	_____	_____
<b>Equipment Technicians</b>	_____	_____
<b>Technical Orientation/Training</b>	_____	_____

Any party requesting any of the above listed equipment, services, training, or personnel be provided by the Court Business Center (CBC) shall contact CBC (813) 272-5520 at least 7 days prior to the pre-trial conference.