

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

CASE NO.

DIVISION:

**UNIFORM ORDER SETTING TRIAL, PRE-TRIAL CONFERENCE
AND CASE MANAGEMENT CONFERENCE FOR EMINENT DOMAIN CASES**

(Revised November 8, 2007)

THIS CAUSE being at issue and the Court being otherwise fully advised in the premises,
it is hereby

ORDERED AND ADJUDGED as follows:

1. This cause is set for trial at .M., or as soon
thereafter as counsel may be heard.

2. A Pre-Trial Conference is set before the Honorable _____,
Circuit Judge, Hillsborough County Courthouse, 800 E. Twiggs Street, Room _____, Tampa,
FL 33602, on _____ at .M.

3. A Case Management Conference is set for _____ at
.M. The Case Management Conference shall be held at least 30 days prior to the Pre-Trial
Conference.

4. Mandatory mediation shall be scheduled by the attorney for the Petitioner anytime
between the Case Management Conference and the Pre-Trial Conference.

5. At least seventy-five (75) days prior to trial all parties must furnish to all other
parties interested in the particular parcel(s) all current, written real estate appraisal report(s), and
all supporting data, upon which any appraisal witness to be used at trial will rely. Any appraisal

reports and data not furnished as required shall not be used at trial and the person responsible for preparing such an appraisal may not be permitted to testify.

6. At least seventy-five (75) days prior to trial, any defendant claiming any special damage not set forth in the real estate appraisal report(s), including but not limited to, business damages, environmental and/or hazardous waste assessments, must plead such damage with requisite specificity and furnish to all other interested parties complete, written reports and/or appraisals from any expert to be used at trial relevant to the special damages claimed. Any witness not submitting a full written report shall be subject to being stricken and not allowed to testify at trial.

7. At least sixty (60) days prior to trial, the Petitioner shall provide to the Respondent(s) submitting special damage reports, the Petitioner's special damage reports on which any expert witness for the Petitioner will rely at trial. Any witness not submitting a full written report shall be subject to being stricken and not allowed to testify at trial.

8. At least thirty (30) days prior to the Pre-Trial Conference, but no later than the Case Management Conference, all parties must prepare a written list containing the names and addresses of all witnesses to be used at trial and file such witness list with the court. A copy of such witness list shall be served on all interested parties.

9. At least one (1) day prior to the Pre-Trial Conference, all discovery, including all depositions, must be completed.

10. At least one (1) day prior to the Pre-Trial Conference, all parties shall prepare a written list of the exhibits to be used at trial; file such list of exhibits with the court, and a copy of such list shall be served on all other interested parties.

11. All motions, except motions in limine, shall be filed and heard prior to the Pre-Trial Conference. All motions not heard by the Pre-Trial Conference shall be deemed abandoned.

12. The attached Pre-Trial Conference Order, signed by all participating counsel, shall be submitted to the Court at the Pre-Trial Conference. If the parties are unable to agree on

any portion of the Pre-Trial Conference Order, that portion shall remain blank and determined at the Pre-Trial Conference. Only one Pre-Trial Conference Order per parcel shall be submitted.

13. In order to accomplish the full purpose of the Pre-Trial procedures, each party shall be represented by an attorney and/or person(s) who will participate in the trial of the cause and who is vested with full authority to make admissions and disclosures of fact and bind his or her client by agreement in respect to all matters pertaining to the trial of this matter including settlement.

14. No later than the last business day of the week prior to the trial week, each party shall submit to the Court with a copy to opposing counsel, written jury instructions and proposed verdict forms. Each jury instruction shall be on a separate sheet of paper; shall be plainly marked with the name and case number; shall contain citations of supporting authorities, if any; shall designate the party submitting the instructions; and shall be numbered in sequence. Counsel shall confer prior to trial and attempt to agree as to the jury instructions and verdict forms. This paragraph shall not foreclose the right of each party to modify instructions up to and including the instruction conference at the close of evidence. In order that the Court may provide the jury with a set of written jury instructions for consideration during deliberations each party shall also provide the Court with a clean copy of the requested instructions and proposed verdict form (not numbered and with no designation as to the requesting party or citations to supporting authority). In addition, each party shall provide the court a CD-R disc containing all requested jury instructions and verdict forms in Word format.

15. The parties shall do all things reasonable and necessary to assure the availability of their witnesses for the entire trial period or to otherwise preserve their testimony for trial as provided by the Florida Rules of Civil Procedure.

16. The attorneys are directed during the course of this litigation to follow the Hillsborough County Bar Association Standards of Professional Courtesy and the Florida Bar Trial Lawyers Section Guidelines for Professional Conduct. If necessary, enforcement will be in accordance with Florida Rules of Civil Procedure.

17. Failure to comply with the requirements of this Order will subject the parties or counsel to appropriate sanctions as the Court shall determine just and proper under the circumstances.

18. Counsel shall immediately notify this Court in the event of settlement and submit a stipulation for an Order of Dismissal and a Final Disposition form. Counsel shall likewise notify this Court in the event the parties wish to avail themselves of the "Trial Resolution Judge" provisions of Chapter 44 of the Florida Statutes.

19. No later than 7 days prior to the Pre-Trial Conference the attorneys for all parties shall notify the Court's Business Center (CBC) (813 272-5520) as to any audio-visual equipment or other multi-media technology they intend to reserve for use at trial.

20. No later than 7 days prior to the Pre-Trial Conference the attorneys for all parties shall, if desired, secure the services of a court reporter for trial.

21. All provisions of this order that require compliance by counsel are likewise applicable to any party appearing pro se.

22. _____

DONE AND ORDERED in chambers at Tampa, Hillsborough County, Florida, this day of _____, 20__ .

CIRCUIT JUDGE _____

Copies Furnished to: