

IN THE CIRCUIT COURT OF THE FIFTEENTH  
JUDICIAL CIRCUIT IN AND  
FOR PALM BEACH COUNTY, FLORIDA

CIRCUIT CIVIL DIVISION:  
CASE NO.:

Plaintiff  
vs.

Defendants.

\_\_\_\_\_/

**ORDER IMPLEMENTING DIFFERENTIATED CASE MANAGEMENT PLAN**  
**DESIGNATING CASE TO THE EXPEDITED TRACK, ORDER SETTING CALENDAR**  
**CALL AND CASE MANAGEMENT CONFERENCE**  
**AND DIRECTING PRETRIAL PROCEDURES**  
**(DCMENT)**

**THIS MATTER** is a Circuit Civil Foreclosure case calling for a non-jury trial. Accordingly, it is

**ORDERED AND ADJUDGED** that this case is designated to the **EXPEDITED TRACK** to be resolved within **eight (8) months from the date of filing**. The following procedures and deadlines will be strictly enforced:

**I. SERVICE OF THIS ORDER, ACTIVE CASE MANAGEMENT AND NON-COMPLIANCE**

**Plaintiff/Petitioner is directed to serve this Order** upon each Defendant/Respondent with the Initial Complaint/Petition and Summons. The deadlines and procedures set forth herein are firm and may be modified only upon a showing of a good faith attempt to comply with the deadlines or demonstration of a significant change of circumstances and through the process established in the 15th Circuit's Administrative Order 3.107 (as amended).

The parties are expected to actively manage the case and to confer early and often to ensure compliance with this order and timely resolution of the case. The parties and counsel are expected to govern themselves at all times with a spirit of cooperation, professionalism, and civility. They are expected to accommodate each other whenever reasonably possible and eliminate disputes by reasonable agreements.

**Self-Represented/Pro se litigants** (i.e. those without counsel) are held to the

same obligations imposed upon counsel.

**Motions to extend deadlines** must be filed *prior* to the deadline. Untimely motions will be denied absent compelling circumstances and showing of good cause.

**NONCOMPLIANCE WITH THIS ORDER, ABSENT A SHOWING OF GOOD CAUSE, MAY RESULT IN DISMISSAL OF THE ACTION, THE STRIKING OF PLEADINGS, WITNESSES, OR EXHIBITS, REMOVAL OF THE CASE FROM THE DOCKET, DEFAULT OR ANY OTHER APPROPRIATE SANCTION.**

The failure to act in good faith and comply with this order must be reported, if not resolved through a conference of the parties and good faith conferral, by filing a **"Suggestion of Non-Compliance with Pre-Trial Order"** that must be set for hearing in a timely manner. The Suggestion must name the non-compliant person, describe the act of non-compliance, be served upon all parties and sent to the Court's chambers. Responses may only be submitted upon request of the Court. Failure to correct any non-compliance before the hearing may result in sanctions as described above. The parties will notify the Court immediately if non-compliance is cured; if cured more than 7 days before the hearing, the hearing may be cancelled.

All deadlines must be observed unless all defendant(s) have been defaulted and/or dismissed.

If all defendant(s) are defaulted and / or dismissed, then the Plaintiff shall file the appropriate documentation and upload the appropriate orders to move the case to final disposition within thirty (30) days from the date of the last default and /or dismissal. The case may be set for an Uncontested Summary Judgment Hearing pursuant to the 15th Circuit's Online Scheduling System. Failure to comply within this timeframe will result in an order of dismissal without further notice or hearing.

If the case is only requiring fifteen to ninety minutes for trial, the parties may move for an earlier trial setting by filing a Notice for Trial indicating the estimated time for trial and emailing a copy to CAD-SRJDTRIALS@PBCGOV.ORG.

## **II. SCHEDULING AND PRETRIAL DEADLINES**

**A CASE MANAGEMENT CONFERENCE AND CALENDAR CALL will be held on September 18, 2024.** The parties must be ready to try the case by that day. The specific time for the Case Management Conference, and procedures for conducting Calendar Call can be found on the Division's webpages at [www.15thcircuit.com](http://www.15thcircuit.com). The Calendar Call may be conducted in-person or by e-calendar.

The trial period begins the first business day of the immediately following week after the above-listed Case Management Conference and Calendar Call, unless otherwise described in the divisional instructions or by court order.

**The following deadlines (discussed in detail below) shall apply unless otherwise modified by the Court:**

EVENTS		COMPLETION DATE
1.	Service of Complaint	November 15, 2023 or extension by separate order
2.	Answer filed or default obtained	December 5, 2023
3.	Amendment of pleadings/adding parties	December 15, 2023
4.	Resolution of all motions/objections directed to the pleadings ( <i>i.e. motions to dismiss or strike</i> )*	January 24, 2024
5.	File Witness and Expert Lists	August 4, 2024
6.	Close of discovery	August 19, 2024
7.	File Exhibit Lists	August 24, 2024
8.	File Joint Pretrial Stipulation	September 8, 2024
9.	Deadline to hear Dispositive Motions ( <i>i.e. Motions for Summary Judgment</i> )	September 13, 2024
10.	Deadline to hear Pretrial Motions ( <i>i.e. Motions in Limine</i> )	September 13, 2024
11.	Calendar Call/Trial Ready Date **	September 18, 2024

**Fla. R. Gen. Prac. & Jud. Admin. Rule 2.514 governs if any deadlines falls on a weekend or holiday.**

\*The parties must expeditiously address any motions directed to the pleadings. Defensive motions under Rule 1.140 of the Fla. R. Civ. P., motions to extend time to file a defensive motion or pleading, and any other motion preventing the matter from being at issue shall be set for hearing within five (5) days of filing. The motion should be scheduled for hearing at the earliest date that the Court and parties are available.

\*\*The Court reserves the authority to expedite the trial setting and amend the pretrial deadlines accordingly.

### III. **UNIFORM PRE-TRIAL PROCEDURE**

#### A. **TIMELY SERVICE AND DEFAULTS**

Parties must make reasonable efforts to ensure speedy service. Each return of service must be separately filed for each defendant. If service is not completed within 90 days, an Order will be issued directing service by the **120 DAY DEADLINE**. Failure to comply will result in dismissal of the case or party for lack of service. Any motions to extend the deadline for service must

specify why service could not have been effectuated, what is being done to effectuate service and request only that amount of additional time necessary.

If all defendants become defaulted, a Motion for Default Final Judgment along with supporting documentation must be filed within **30 days** of the last default and set for hearing at the next available hearing time.

B. WITNESS LISTS

If not already done, each party must file and serve a list of the names and addresses of all fact and expert witnesses to be called at trial no later than **forty-five (45) days prior to Calendar Call**.

C. EXHIBIT LISTS

No later than **twenty-five (25) days prior to Calendar Call**, each party shall file and serve an exhibit list. Each exhibit shall be separately numbered and identified. On the exhibit list, each party shall provide for a reasonable time, and place for the other parties to see the exhibits. Each party shall file and serve a list of all objections to an opposing party's exhibits no later than **ten (10) days prior to Calendar Call**.

D. DISCOVERY CUTOFF

All discovery must be completed **thirty (30) days prior to Calendar Call** absent exceptional circumstances. Rulings as to admission on late discovery will be made on a case by case basis.

E. MOTIONS

All dispositive motions, motions in limine, deposition objections and expert challenges must be filed, served and heard at least **five (5) days prior to Calendar Call**.

F. COUNSEL MEETING AND PRE-TRIAL STIPULATION

Counsel for the parties shall meet at a mutually convenient time and place no later than **twenty (20) days prior to Calendar Call** to discuss settlement, simplify the issues and stipulate to as many facts and issues as possible, and prepare a Pre-trial Stipulation in accordance with this paragraph. This requirement is waived if one party is not represented by counsel.

It shall be the duty of Plaintiff's counsel to see that the Pre-trial Stipulation is drawn, executed by counsel for all parties, and filed **no later than ten (10) days prior to Calendar Call**.

**UNILATERAL PRE-TRIAL STATEMENTS ARE DISALLOWED UNLESS APPROVED BY THE COURT AFTER NOTICE AND HEARING.**

Counsel(s) for all parties are charged with good faith cooperation in

preparing the Pre-Trial Stipulation.

The Pre-trial Stipulation shall contain the following in separately numbered paragraphs:

1. Names and contact information of attorneys to try case.
2. A list of all pending motions requiring action by the Court.
3. A statement of estimated trial time.
4. **Statement of the Facts:** A concise statement of the facts of the case in an impartial, easily understandable manner.
5. **Stipulated Facts and Agreed Rules of Law:** A list of any stipulated facts requiring no proof at trial and any agreed rules of law.
6. **Statements of Disputed Law & Fact:** A statement of disputed issues of law and fact that are to be tried.
7. **Witness Lists:** Parties must attach their Witness Lists, including "Rebuttal" or "Impeachment" witnesses. If any party objects to any witness, such objections must be stated in the Stipulation, setting forth the grounds with specificity. At trial, all parties will be strictly limited to witnesses properly and timely disclosed. Only those witnesses listed by NAME will be permitted to testify at trial.
8. **Exhibit Lists:** Parties must attach their Exhibit Lists. All exhibits to be offered in evidence at trial must have been made available to opposing counsel for examination. Only those exhibits listed may be offered in evidence. If any party objects to the introduction of any such exhibit, such objection must be stated in the Pre-trial Stipulation, setting forth the grounds with specificity. All exhibits must be pre-marked and numbered consistent with Clerk's guidelines:

[www.mypalmbeachclerk.com/departments/courts/evidence-guidelines/civil-evidence](http://www.mypalmbeachclerk.com/departments/courts/evidence-guidelines/civil-evidence).

9. And other agreements or issues for trial, if any.

#### G. ADDITIONAL EXHIBITS OR WITNESSES

A party desiring to use an exhibit or witness discovered after the deadline date(s) set above shall immediately furnish the Court and other counsel with a description of the exhibit or with the witness' name and address and the expected subject matter of the testimony, together with the reason for the late discovery of the exhibit or witness.

#### H. UNIQUE QUESTIONS OF LAW

Counsel shall submit memoranda with citations to legal authority in support

of any unique legal questions which may reasonably be anticipated to arise during the trial.

**DONE AND ORDERED** at West Palm Beach, Palm Beach County, Florida.

A copy of this Order has been furnished to the Plaintiff. The Plaintiff shall serve this Order to the Defendant(s) in compliance with Administrative Order 3.107 (amended). This notice is provided pursuant to Administrative Order No. 2.207

**“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 Tammy Anton, Americans with Disabilities Act Coordinator, Palm Beach County Courthouse, 205 North Dixie Highway West Palm Beach, Florida 33401; telephone number (561) 355-4380 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.”**

**“Si usted es una persona minusválida que necesita algún acomodamiento para poder participar en este procedimiento, usted tiene derecho, sin tener gastos propios, a que se le provea cierta ayuda. Tenga la amabilidad de ponerse en contacto con Tammy Anton, 205 N. Dixie Highway, West Palm Beach, Florida 33401; teléfono número (561) 355-4380, por lo menos 7 días antes de la cita fijada para su comparecencia en los tribunales, o inmediatamente después de recibir esta notificación si el tiempo antes de la comparecencia que se ha programado es menos de 7 días; si usted tiene discapacitación del oído o de la voz, llame al 711.”**

**“Si ou se yon moun ki enfim ki bezwen akomodasyon pou w ka patisipe nan pwosedi sa, ou kalifye san ou pa gen okenn lajan pou w peye, gen pwovizyon pou jwen kèk èd. Tanpri kontakte Tammy Anton, kòòdonatè pwogram Lwa pou ameriken ki Enfim yo nan Tribinal Konte Palm Beach la ki nan 205 North Dixie Highway, West Palm Beach, Florida 33401; telefòn li se (561) 355-4380 nan 7 jou anvan dat ou gen randevou pou parèt nan tribinal la, oubyen imedyatman apre ou fin resevwa konvokasyon an si lè ou gen pou w parèt nan tribinal la mwens ke 7 jou; si ou gen pwoblèm pou w tandè oubyen pale, rele 711.”**