

**ORDER SETTING TRIAL AND PRE-TRIAL SCHEDULE,
REQUIRING MEDIATION, AND REFERRING CERTAIN
MOTIONS TO MAGISTRATE JUDGE**

THIS CAUSE is set for trial during the Court's two-week trial calendar beginning on **to be determined**. Calendar call will be held at 9:00 a.m. on Tuesday, **to be determined**. No pre-trial conference will be held unless a party requests one no later than 30 days before the calendar call and the Court determines that one is necessary. The parties shall adhere to the following schedule:

to be determined The parties shall select a mediator certified under Local Rule 16.2.B, shall schedule a time, date and place for mediation, and shall jointly file a **proposed order scheduling mediation** in the form specified by Local Rule 16.2.H. If the parties cannot agree on a mediator, they shall notify the Clerk in writing as soon as possible, and the Clerk shall designate a certified mediator on a blind rotation basis. Counsel for all parties shall familiarize themselves with and adhere to all provisions of Local Rule 16.2. Within **five (5) days** of mediation, the parties are required to file a mediation report with the Court.

to be determined All motions to amend pleadings or join parties are filed.

to be determined Parties exchange expert witness summaries and reports required by Local Rule 16.1.K.

to be determined Parties exchange rebuttal expert witness summaries and reports required by Local Rule 16.1K.

to be determined All discovery, including expert discovery, is completed.

to be determined Parties must have completed mediation and filed a mediation report.

to be determined All pre-trial motions other than motions *in limine* are filed.

to be determined Parties submit joint pre-trial stipulation, proposed jury instructions, or proposed findings of fact and conclusions of law, as applicable, and motions *in limine*. Each party is limited to filing one motion *in limine*. If all evidentiary issues cannot be addressed in a 20-page memorandum, leave to exceed the page limit will be granted. **The parties are reminded that motions *in limine* must contain the Local Rule 7.1 A.3 certification.**

Pursuant to 28 U.S.C. § 636 and this District's Magistrate Judge Rules, all discovery motions and non-dispositive motions filed pursuant to Federal Rules of Civil Procedure 12, 13 and 14 are referred to Magistrate Judge Stephen T. Brown. Pursuant to 28 U.S.C. 636(c)(1), the parties may consent to trial and final disposition by Magistrate Judge Brown. **The deadline for submitting a**

consent is (to be determined). No consents will be given effect if filed after a denial of a requested trial continuance.

The parties may stipulate to extend the time to answer interrogatories, produce documents, and answer requests for admissions. The parties shall not file with the Court notices or motions memorializing any such stipulation unless the stipulation interferes with the deadlines set forth above. Stipulations that would so interfere may be made only with the Court's approval. *See* Rule 29, Fed. R. Civ. P.. In addition to the documents enumerated in Local Rule 26.1.B., the parties shall not file notices of deposition with the Court. Strict compliance with the Local Rules is expected, particularly with regard to motion practice. *See* Local Rule 7.1.

The parties shall submit their proposed jury instructions jointly, though they need not agree on each proposed instruction. Where the parties do not agree on a proposed instruction, that instruction shall be set forth in bold type. Instructions proposed only by a plaintiff shall be underlined. Instructions proposed only by a defendant shall be italicized. Every instruction must be supported by citation to authority. The parties shall use as a guide the Eleventh Circuit Pattern Jury Instructions for Civil Cases, including the directions to counsel contained therein. Proposed jury instructions, in typed form, including substantive charges and defenses, shall be submitted to the Court prior to Calendar Call, in Word Perfect format, via e-mail to altonaga@flsd.uscourts.gov. Instructions for filing proposed documents may be viewed at <http://www.flsd.uscourts.gov>.

Each exhibit must be labeled in accordance with the exhibit list in the joint pre-trial stipulation and shall also bear the case number of this action.

Discovery motions (which must contain the Local Rule 7.1 A.3 certification) shall be handled on an expedited briefing schedule to prevent delay to the pre-trial schedule. Therefore, the parties shall respond to motions to compel and motions for protective order no later than the fifth business day after a motion is filed. Any reply memoranda shall be filed no later than the third business day after memoranda in opposition to any discovery motion are filed.