

# Sample Orders

---

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

ORDER IN ACTIONS BROUGHT UNDER THE FAIR LABOR STANDARDS ACT

ORDER IN ACTIONS BROUGHT UNDER THE AMERICANS WITH DISABILITIES ACT

ORDER REQUIRING SCHEDULING REPORT & CERTIFICATES OF INTERESTED PARTIES

ORDER OF INSTRUCTIONS BEFORE PRETRIAL CONFERENCE

ORDER SCHEDULING MEDIATION

SCHEDULING ORDER

VIDEO CONFERENCING SCHEDULING FORM

ORDER REGARDING PRETRIAL PROCEDURES IN A CRIMINAL CASE

ORDER SETTING TRIAL DATE IN A CRIMINAL CASE

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. XX-XXXXX-CIV-BLOOM/Valle

XXXXXX,

Plaintiff,

v.

XXXXXX,

Defendant.

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

**THIS CAUSE** is set for trial during the Court's two-week trial calendar beginning on **Monday, XXXXX XX, 2016, at 9:00 a.m.** Calendar call will be held at **1:15 p.m. on Tuesday, XXXXX XX, 2016.** No pre-trial conference will be held unless a party requests one at a later date and the Court determines that one is necessary. Unless instructed otherwise by subsequent order, the trial and all other proceedings in this case shall be conducted in **Courtroom 10-2 at the Wilkie D. Ferguson, Jr. United States Courthouse, 400 North Miami Avenue, Miami, FL 33128.** The parties shall adhere to the following schedule:

\_\_\_\_\_. The parties shall select a mediator pursuant to Local Rule 16.2, shall **schedule a time, date, and place for mediation**, and shall jointly **file a notice, and proposed order scheduling mediation** in the form specified on the Court's website, <http://www.flsd.uscourts.gov>. 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 **seven (7) days** of mediation, the parties are required to file a mediation report with the Court. Pursuant to the procedures outlined in the CM/ECF Administrative Procedures, the proposed order is be emailed to [bloom@flsd.uscourts.gov](mailto:bloom@flsd.uscourts.gov) in Word format.

\_\_\_\_\_. All motions to amend pleadings or join parties are filed.

- \_\_\_\_\_ . Parties exchange expert witness summaries or reports.
- \_\_\_\_\_ . Parties exchange rebuttal expert witness summaries or reports.
- \_\_\_\_\_ . Parties must have completed mediation and filed a mediation report.
- \_\_\_\_\_ . All discovery, including expert discovery, is completed.

\_\_\_\_\_ . All pre-trial motions and *Daubert* motions (which include motions to strike experts) are filed. **This deadline includes all dispositive motions.** Each party is limited to filing one *Daubert* motion. 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 *Daubert* motions must contain the Local Rule 7.1(a)(3) certification.** The parties are further reminded that strict compliance with Local Rule 56.1 is mandated. In addition, any motion for summary judgment accompanied by more than three (3) exhibits shall also be accompanied by a separately-filed index of exhibits. Each entry shall provide a title and brief description of the document contained therein, and, if available, reference to the docket entry under which the document was filed—e.g. “ECF No. [50-2].”<sup>1</sup>

\_\_\_\_\_ . Parties submit joint pre-trial stipulation, proposed jury instructions and verdict form, or proposed findings of fact and conclusions of law, as applicable, and motions *in limine* (other than *Daubert* motions). 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.**

**Jury Instructions and Verdict Form.** The parties shall submit their proposed jury instructions and verdict form jointly, although 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 and

---

<sup>1</sup> The Court’s electronic filing system, CM/ECF, times out after approximately twenty (20) minutes of inactivity. If a party is attempting to upload a sizable document, CM/ECF may time out if upload has not completed within the aforementioned period. Parties may avoid this issue by breaking large filings into smaller documents.

verdict form, in typed form, including substantive charges and defenses, shall be submitted to the Court prior to calendar call, in Word format, via e-mail to [bloom@flsd.uscourts.gov](mailto:bloom@flsd.uscourts.gov). Instructions for filing proposed documents may be viewed at <http://www.flsd.uscourts.gov>.

**Referral to Magistrate Judge.** Pursuant to 28 U.S.C. § 636 and this District's Magistrate Judge Rules, all discovery matters are referred to Magistrate Judge Alicia O. Valle. Furthermore, pursuant to 28 U.S.C. § 636(c)(1), the parties may consent to trial and final disposition by Magistrate Judge Alicia O. Valle. **The deadline for submitting a consent is \_\_\_\_\_.**

**Discovery.** 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* FED. R. CIV. P. 29. To the extent not abrogated or contradicted by this Order, all agreements and stipulations entered into between the parties prior to this Order continue to bind the parties. In addition to the documents enumerated in Local Rule 26.1(b), the parties shall not file notices of deposition with the Court. The parties must make every effort to resolve discovery disputes without requiring Court intervention. Strict compliance with the Local Rules is expected, particularly with regard to motion practice. *See* S.D. FLA. L.R. 7.1.

**Discovery Disputes.** Magistrate Judge Alicia O. Valle requires an **expedited briefing schedule** and **shortened page limitation** for discovery motions (which must contain the Local Rule 7.1(a)(3) certification of good faith conference) to prevent delay to the pretrial schedule. The parties shall file responses and replies to discovery motions no later than **seven (7) days** after a motion, or response, is filed. Any discovery motion and response, including the

incorporated memorandum of law, shall not exceed **ten (10) double-spaced pages**. Any reply memoranda shall not exceed **five (5) double-spaced pages**. The Court may impose sanctions, monetary or otherwise, if it determines discovery is being improperly sought or is being withheld in bad faith.

**DONE AND ORDERED** in Miami, Florida, this XXst day of XXXXX, 2016.

---

**BETH BLOOM**  
**UNITED STATES DISTRICT JUDGE**

Copies to:  
Counsel of Record

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. XX-XXXXX-CIV-BLOOM/Valle**

**P,**

Plaintiff,

v.

**D, et al.,**

Defendants.

---

**ORDER IN ACTIONS BROUGHT UNDER THE FAIR LABOR STANDARDS ACT**

**THIS CAUSE** is before the Court *sua sponte*. The Complaint in this action is filed under the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.*, (“FLSA”). In order to assist the Court in the management of this case, and in an effort to foster early and cost-effective resolution, the parties are **ORDERED** to comply with the following procedures:

1. Under Rule 8 of the Federal Rules of Civil Procedure, a plaintiff is required to state a “short and plain statement of the claim.” While this Rule places only a light burden on a plaintiff, the Court requires complaints filed under the FLSA to include, at a minimum, a statement setting forth the following with respect to each Plaintiff(s):

- a. An initial estimate of the total amount of alleged unpaid wages;
- b. A preliminary calculation of such wages;
- c. The approximate period during which the alleged FLSA violations occurred; and
- d. The nature of the wages (e.g., overtime or straight time).

Plaintiff is directed to file a “Statement of Claim” (and if the Complaint does not contain the foregoing information, an amended complaint that conforms to these requirements), by **insert a date for 15 days from today**. Plaintiff shall promptly serve a copy of this Order, the Statement

of Claim, and copies of all supporting documents (including time sheets, pay stubs, etc.) upon counsel for Defendant(s) once an appearance has been made or at the time the Statement of Claim is filed (if defense counsel has already appeared).

2. Defendant(s) shall then file a “Response to Plaintiff’s Statement of Claim” setting forth in detail any defenses to Plaintiff’s claim(s) and serve copies of all supporting documents within **twenty (20) days** of being served with Plaintiff’s Statement of Claim.

3. This matter is **REFERRED** for purposes of a settlement conference before Magistrate Judge Alicia O. Valle, to occur within **sixty (60) days** of Defendant(s) Response to Plaintiff’s Statement of Claim. Counsel shall confer and jointly contact Magistrate Judge Valle’s Chambers prior to the due date for the response by Defendant(s) to Plaintiff’s statement of claim in order to schedule the settlement conference. Magistrate Judge Valle will issue an Order Scheduling Settlement Conference outlining the time and requirements for the Settlement Conference. The Settlement Conference date may not be extended without prior approval from Magistrate Judge Valle. Except as provided under Local Rule 16.2.E, the appearance of counsel and each party, or representatives of each party with full authority to enter into a full and complete settlement, is mandatory. Appearance shall be in person; telephonic appearance is prohibited absent court order. All discussions, representations, and statements made at the settlement conference shall be confidential and privileged. If the case is settled at the settlement conference, counsel shall promptly notify the Court by filing a notice of settlement signed by counsel of record within **seven (7) days** of the conference.

4. In the event the settlement conference is unsuccessful, all parties are required to participate in subsequent mediation, which shall take place by the deadline contained in the Court’s Scheduling Order, entered separately.

5. Failure to comply with **ANY** of these procedures may result in the imposition of appropriate sanctions, including but not limited to, the dismissal of this action or entry of default.

**DONE AND ORDERED** in Chambers in Miami, Florida, this XXth day of August, 2016.

---

BETH BLOOM  
UNITED STATES DISTRICT JUDGE

cc: counsel of record



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. XX-XXXXX--BLOOM

,  
Plaintiff,

v.

,  
Defendant.  
\_\_\_\_\_ /

**ORDER IN ACTIONS BROUGHT UNDER  
THE AMERICANS WITH DISABILITIES ACT**

This cause is before the Court upon a *sua sponte* examination of the record. The Complaint alleges that the Defendant violated the Americans with Disabilities Act (“ADA”), 42 U.S.C. §§ 12181, *et seq.* In order to assist the Court in the management of this case, and in an effort to foster an early and cost-effective resolution, the parties are **ORDERED** to comply with the following procedures:

1. No later than thirty (30) days from the date of this Order, the Defendant is to permit the Plaintiff access to inspect the property together with the Plaintiff’s designated expert.

Thereafter, the Plaintiff shall file a “Plaintiff’s Inspection Report” setting forth the following:

- a. A specific list of all alleged violations at the subject property;
- b. An estimate of the date of construction of the subject property and, accordingly, the applicable ADA standard at issue; and
- c. The nature of the violations, by information and belief (e.g., readily achievable if pre-existing construction and/or required by particular ADA standard).

Plaintiff is directed to file its Report by **[insert date two weeks out]**.

2. Defendant shall then file “Defendant’s Inspection Report” setting forth in detail the results of its own inspection of each alleged violation no later than **[insert date three weeks out]**. Defendant shall identify any agreement it has with Plaintiff’s claims or the specific defense applicable to each claim set forth in “Plaintiff’s Inspection Report.”

3. Failure to comply with any of these procedures may result in the imposition of appropriate sanctions, including but not limited to, the dismissal of this action or entry of default.

**DONE AND ORDERED** in Miami, Florida this \_\_ day of \_\_\_\_\_, 2016.

---

**BETH BLOOM**  
**UNITED STATES DISTRICT JUDGE**

cc: counsel of record

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. XX-XXXXX-BLOOM/Valle

XXXXXX,

Plaintiff,

v.

XXXXXX,

Defendant.

---

**ORDER REQUIRING SCHEDULING REPORT  
AND CERTIFICATES OF INTERESTED PARTIES**<sup>1</sup>

The parties are directed to prepare and file a joint scheduling report, as required by Local Rule 16.1, by **XXXXXX XX, 2016**. The joint scheduling report and proposed order shall include all information required by Local Rule 16.1(b)(2) and (3).<sup>2</sup>

In addition, by **XXXXXX XX, 2016**, the parties, including governmental parties, must file certificates of interested parties and corporate disclosure statements that contain a complete list of persons, associated persons, firms, partnerships, or corporations that have a financial interest in the outcome of this case, including subsidiaries, conglomerates, affiliates, parent corporations, and other identifiable legal entities related to a party (to the extent they have not already done so). Throughout the pendency of the action, the parties are under a continuing obligation to amend, correct, and update the certificates.

***Detailed Discovery Schedule:*** Local Rule 16.1(a) provides for a differentiated case management system based on the complexity of each case and the requirement for judicial

---

<sup>1</sup> The parties must not include Judge Bloom and U.S. Magistrate Judge Valle as interested parties unless they have an interest in the litigation.

<sup>2</sup> Although Defendant Credit Control, LLC has been served, *see* ECF No. [6], and has filed an answer with the Court, *see* ECF No. [8], Defendant NCEP, LLC has not yet been served.

involvement. That system categorizes cases along three case management tracks: expedited, standard, or complex.

- Expedited track cases are relatively non-complex, require 1 to 3 days of trial, and between 90 and 179 days for discovery from the date of the scheduling order.
- Standard track cases require 3 to 10 days of trial, and between 180 and 269 days for discovery from the date of the scheduling order.
- Complex track cases are unusually complex, require over 10 days of trial, and between 270 and 365 days for discovery from the date of the scheduling order.

“The following factors [are] considered in evaluating and assigning cases to a particular track: the complexity of the case, number of parties, number of expert witnesses, volume of evidence, problems locating or preserving evidence, time estimated by the parties for discovery and time reasonably required for trial, among other factors.” S.D. FLA. L. R. 16.1(a)(3).

Consistent with the differentiated case management system, other relevant local rules (such as Local Rule 16.2, regarding mediation), and the twin goals of expeditious and attentive case management, the Court anticipates the following scheduling deadlines in the run of cases:

- Selection of a mediator and scheduling of a time, date and place for mediation within 30 days of the scheduling order.
- Deadline to amend pleadings and join parties within 60 days of the scheduling order.
- Completion of all discovery consistent with the case management track guidelines, and 120 days prior to trial.
- Completion of mediation prior to the deadline for dispositive pre-trial motions.
- Deadline for dispositive pre-trial motions and *Daubert* motions (which include motions to strike experts) 100 days prior to trial.
- Deadline for submission of joint pre-trial stipulation, proposed jury instructions and verdict form, or proposed findings of fact and conclusions of law, as applicable, 40 days prior to trial.
- Calendar call one week prior to trial.

Those deadlines are not exhaustive of deadlines which may be set in the scheduling order.

The parties should address their joint scheduling report and their proposed pre-trial deadlines both to the differentiated case management system and to the Court's anticipated deadlines. The parties are encouraged to explain their proposed deadlines in light of those overarching guidelines, including as to the factors listed in Local Rule 16.1(a)(3).

**DONE AND ORDERED** in Miami, Florida this XXth day of XXXXX, 2016.

---

**BETH BLOOM**  
**UNITED STATES DISTRICT JUDGE**

Copies to: Counsel of Record

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. XX-XXXXX-CIV-BLOOM**

XX,

Plaintiffs,

vs.

XX,

Defendants.

\_\_\_\_\_ /

**ORDER OF INSTRUCTIONS BEFORE PRETRIAL CONFERENCE**

THIS CAUSE is scheduled for Pretrial Conference on \_\_\_\_\_. The trial is scheduled on \_\_\_\_\_. In order to allow the parties to properly prepare for trial and ensure an efficient trial schedule, it is

**ORDERED AND ADJUDGED** as follows:

**A. Trial Preparation Issues**

(1) Neutral Statement of Case and List of Witnesses for Venire Panel

(A) By \_\_\_\_\_, the parties shall prepare and file a joint concise, neutral statement of the case that can be read to the venire panel prior to voir dire to apprise the panel of the subject matter involved in the case. The joint concise statement shall address the positions of each party to this litigation in a succinct and neutral manner.

(B) By \_\_\_\_\_, the parties shall prepare and file a joint list of all witnesses that will be called at trial. This list shall provide the full name of the witness and succinct identifying information, such as area of residence or employment affiliation, to help the prospective jurors determine whether they recognize a potential witness.

(2) Voir Dire Questions

The parties shall file any proposed voir dire questions by \_\_\_\_\_. If the parties wish to discuss the voir dire questions at the Pretrial Conference, they shall submit the questions by \_\_\_\_\_, **2016**.

(3) Exhibit Notebooks

If the parties do not plan to use the ELMO to publish exhibits, they shall prepare Exhibit Notebooks. The Exhibit Notebooks shall contain three divisions. The first division shall contain the parties' joint exhibits which both parties intend to use at trial; the second division shall contain Plaintiff's exhibits; and the third division shall contain Defendant's exhibits. Each division shall be clearly and adequately designated (tabbed) and each exhibit appropriately labeled. Any composite exhibits shall include page numbers for each page of the exhibit for ease of reference. A sample Exhibit Notebook is available in Chambers for Counsels' inspection.

At the time of jury selection, the parties shall be required to provide at least thirteen (13) copies of the Exhibit Notebook: one for each of the eight jurors, one for the Court, one for the witness stand, one for the Court Reporter, and one for each of the parties. At the opening of trial, the jurors' Exhibit Notebooks shall contain all exhibits from the three divisions described above to which there are no objections. As to the remaining exhibits to which there are objections, Counsel shall have sufficient tabbed, hole-punched copies of each exhibit to give to the jurors for addition to their Notebooks in the event the exhibit is admitted into evidence. The Notebooks for the Court, witness stand, court reporter and parties should include all exhibits, even those to which there may be objections and an exhibit index for each of the three sections.

If the parties seek to use the electronic equipment in the courtroom, arrangements shall be made with the courtroom deputy for a sufficient orientation the week before the scheduled trial.

If the parties intend to bring in their own laptop or other equipment, a motion and proposed order shall be filed for the Court's consideration.

At the close of all of the evidence, counsel for the Plaintiff shall provide an index reflecting the admitted exhibits which will be provided to the jurors together with the admitted exhibits. All admitted exhibits must be electronically filed no later than ten (10) days following the conclusion of the trial.

(4) Witness Lists and Exhibit Lists

(A) Witness Lists: By \_\_\_\_\_, the parties shall file revised Witness Lists that include the estimated time for direct and cross-examination of each of the witnesses, taking into account the time necessary for translation. This list shall include each anticipated impeachment witness.

(B) Exhibit Lists: By \_\_\_\_\_, the parties shall file revised exhibit lists. Prior to filing the lists, the parties shall meet and confer to resolve as many issues as possible regarding the other's exhibits. Any remaining objections shall be reflected on the exhibit list identifying the legal basis for the objection. The parties are instructed to have each exhibit objected to with them at the Pretrial Conference for review and ruling.

(5) Demonstrative and Summary Exhibits

If the parties desire to use demonstrative exhibits during trial (including photos, diagrams or time-lines and the like), each such item must be disclosed to the opposing party not later than \_\_\_\_\_. No demonstrative exhibit may be displayed to the jury absent prior written agreement between the parties or, absent such agreement, prior approval by the Court.

(6) Translators



(A) Exhibits: One week before the Pretrial Conference, the parties shall exchange exhibit translations and attempt to resolve any issues regarding the translations. If the parties are unable to resolve the issues, they shall file a notice with the Court explaining the remaining issues and setting out each sides' proposed resolution to the remaining issues.

(B) At Trial: Prior to the Pretrial Conference, the parties will confer and agree on a single translator service for the trial. The parties shall split the cost of the service. The service must be federal court certified and must be able to provide a team of translators for the trial so that translators can switch every 30-40 minutes during the trial.

(7) Jury Instructions and Verdict Form

By \_\_\_\_\_, the parties shall file and submit to chambers, in Word format, proposed joint jury instructions and verdict forms. Additionally, the parties are instructed to include a notetaking instruction.

(8) Opening and Closing Statements

At the Pretrial Conference, the parties should be prepared to tell the Court how long they each will need for their opening and closing statements.

(9) Stipulated Facts

The parties shall discuss all items not in dispute and file a list of stipulated facts by \_\_\_\_\_.

(10) The Rule Against Witnesses in the Courtroom

Excepting the parties or their designated corporate representative, any witness who may testify in this case is precluded from the courtroom at any time prior to their testimony. Each party shall bring to the Court's attention the appearance of any witness in the courtroom which violates this rule.

(11) Copies to Court Reporter

At the commencement of jury selection, the parties shall provide to the Official Court Reporter copies of: (a) the final witness and exhibit lists; and (b) a list of all names and other proper nouns material to the disposition of the case that are likely to be raised at trial.

(12) Notice of Settlement

If the parties settle this matter before trial, the parties must notify the Court no later than **3 p.m. on the Friday before trial is set to commence** in order to avoid paying the costs of the jury. If the parties do not notify the Court of settlement by that time, the parties shall jointly reimburse the Court for the cost of the jury.

**DONE AND ORDERED** in Miami, Florida, this \_\_\_\_\_ day of February, 2016.

---

**BETH BLOOM**  
**UNITED STATES DISTRICT JUDGE**

cc: All Counsel of Record

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. XX-XXXXX-CIV-BLOOM/Valle**

**XXXXXX,**

Plaintiff,

vs.

**XXXXXX,**

Defendant.

\_\_\_\_\_ /

**ORDER SCHEDULING MEDIATION**

The mediation conference in this matter shall be held with (insert mediator name) on XXXXX XX at 10:00 a.m. at (insert location). This date has been agreed to by the Mediator and the Parties and shall not be rescheduled without leave of Court. Within **seven (7) days** of the mediation conference, **the parties** shall file a Mediation Report indicating whether all required parties were present. The report shall also indicate whether the case settled (in full or in part), was continued with the consent of the parties, or whether the mediator declared an impasse.

**DONE AND ORDERED** in Chambers at Fort Lauderdale, Florida, this XXth day of XXXXX, 2016.

\_\_\_\_\_  
**BETH BLOOM**  
**UNITED STATES DISTRICT JUDGE**

cc: counsel of record

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. XX-XXXXX-CIV-BLOOM/Valle

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Defendant,

Defendant.

\_\_\_\_\_ /

**SCHEDULING ORDER**

**THIS CAUSE** is before the Court *sua sponte*. Having reviewed the record and being fully informed, it is

**ORDERED AND ADJUDGED** that the parties shall have until **XXXXX XX, 2016** to file motion(s) for summary judgment, as may be appropriate. Any motion for summary judgment, statement of material facts, and response and/or reply memoranda shall be filed in compliance with the Local Rules of the United States District Court for the Southern District of Florida, including Rules 7.1 and 56.1. Should no motion for summary judgment be filed by such date, the Court will enter a scheduling order.

**DONE AND ORDERED** at Miami, Florida, this XXth day of XXXXX, 2016.

\_\_\_\_\_  
**BETH BLOOM**  
**UNITED STATES DISTRICT JUDGE**

cc: counsel of record  
, *pro se*

**Video Conference Scheduling Form**  
(For External Off-Site Video Conference Facilities)

Please provide the following information:

Approving Judge/Unit Executive: U.S. District Judge Beth Bloom

Courtroom Deputy/Chambers Contact: ToniAnn Jacoby – (305) 523-5227 / (954) 769-5680

Case No: \_\_\_\_\_

Docket # Referencing Video Conference: \_\_\_\_\_

Requested Video Conference Date: \_\_\_\_\_

Requested Video Conference Time: \_\_\_\_\_

Duration of Video Conference: \_\_\_\_\_

Attorney(s) appearing by video: \_\_\_\_\_

Attorney's Email address: \_\_\_\_\_

Attorney's Phone #: \_\_\_\_\_

External IP Address for attorney video equipment: \_\_\_\_\_

Contact information for attorney video equipment: \_\_\_\_\_

Test date and time: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

Date Request Submitted: \_\_\_\_\_

---

**For Use Only by Computer Services**

**Confirmation**

Your video conference is confirmed for \_\_\_\_\_ at \_\_\_\_\_  
at \_\_\_\_\_ for the parties listed above.

By: \_\_\_\_\_ Date: \_\_\_\_\_

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. XX-XXXXX-CR-BLOOM/Valle

UNITED STATES OF AMERICA,

Plaintiff,

vs.

XXXXX,

Defendant.

\_\_\_\_\_ /

**ORDER REGARDING PRETRIAL PROCEDURES**

This matter is set for **Trial** to begin on **XXXXX XX, 2016, at 9:00 a.m.** It is further **ORDERED** that immediately before trial begins, counsel for both parties shall be prepared to indicate whether they have complied with the following procedure:

Should any plea offer be made by the Government but not accepted by Defendant, the Government shall attach to any such offer a cover sheet with space for Defendant and Defendant's attorney to certify that Defendant has reviewed the plea offer. The cover sheet shall also include space for Defendant and Defendant's attorney to certify the dates of signature. This document shall be signed by Defendant and Defendant's attorneys before trial. **This document shall not be filed with the Court or otherwise provided to the Court but shall be maintained within the Government's case file. The parties shall not advise the Court whether any plea offer has been made or, if so, of the contents of any plea offer that might have been made.** See *United States v. Tobin*, 676 F.3d 1264 (11<sup>th</sup> Cir. 2012). Before trial begins, the Court will specifically inquire as to whether the parties have complied with this paragraph of this Order. **The parties shall respond with either a "yes" or "no," without further elaboration. If no**

*plea offer has been made or if a plea offer has been made and the requirements of this paragraph have been satisfied, the answer shall be "yes."*

**DONE AND ORDERED** at Fort Lauderdale, Florida, this XXth day of XXXXX, 2016

---

**BETH BLOOM**  
**UNITED STATES DISTRICT JUDGE**

cc: Counsel of Record

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. XX-XXXXX-CR-BLOOM/Valle

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**XXXXX,**

Defendant.

\_\_\_\_\_ /

**ORDER SETTING TRIAL DATE**

THE ABOVE CAUSE is hereby set for **Criminal Jury Trial** during the two-week period commencing **Monday, XXXXX XX, 2016 at 9:00 a.m.**, or as soon thereafter as the case may be called. A **Calendar Call** will be held at **1:00 p.m. on Tuesday, XXXXX XX, 2016** at The Wilkie D. Ferguson Jr. Courthouse, 400 N. Miami Avenue, Courtroom 10-2, Miami, Florida. It is further **ORDERED** as follows:

1. All requests for Writs Ad Testificandum must be filed not later than 14 business days prior to the first day of the scheduled trial period.
2. All responses pursuant to the Standing Discovery Order and/or Local Rule 88.10 shall be provided in a timely fashion in accordance with the dates scheduled by the magistrate judge. Noncompliance may result in sanctions. Any notice submitted pursuant to Federal Rule of Evidence 404(b) shall include a specific factual basis for the evidence sought to be introduced.
3. **All motions filed shall be accompanied by a written statement certifying that counsel for the moving party has conferred with opposing counsel in a good**



**faith effort to resolve by agreement the subject matter of the motion, where required by Local Rule 88.9.**

4. Counsel shall be prepared to conduct limited *voir dire* following the Court's questioning of the panel. Prior to Calendar Call, counsel shall also file proposed *voir dire* questions. Proposed jury instructions, in typed form, including substantive charges and defenses, shall be submitted to the Court prior to Calendar Call, in Word format, *via* e-mail to [bloom@flsd.uscourts.gov](mailto:bloom@flsd.uscourts.gov). Instructions for filing proposed documents may be viewed at <http://www.flsd.uscourts.gov>.
5. Prior to **Calendar Call**, all counsel shall file a list of proposed witnesses and/or exhibits to be presented at trial. All exhibits to be offered into evidence or marked for identification must be pre-labeled in accordance with the proposed exhibit list. (Government exhibits are to be designated numerically; defense exhibits, alphabetically).
6. If either party seeks to introduce transcript(s) at the trial, such shall be exchanged with all counsel before the scheduled day of trial. If a transcript cannot be agreed upon, each party shall be prepared to produce its own version for the trier of fact.
7. All anticipated Jencks Act<sup>1</sup> material shall be turned over to defense counsel not later than the morning of the first day of trial. The material shall include a face sheet for defense counsel to sign and date, acknowledging receipt.
8. Upon receipt of this order, counsel is directed to certify with the Court's courtroom deputy the necessity of an interpreter for the Defendant. Counsel is

---

<sup>1</sup>18 U.S.C. § 3500

further instructed to notify the Court, at least 24 hours prior to any hearings or trial, if an interpreter is required.

9. Counsel are instructed that arrangements for appropriate clothing for defendants in custody must be made with the Bureau of Prisons at least **seven (7) days** prior to the scheduled trial date.
10. **Counsel are advised to comply with Local Rule 88.5, requiring the filing of speedy trial reports every 20 days hereafter until the time of trial or plea.**
11. **COUNSEL ARE REMINDED THAT PURSUANT TO THE CM/ECF ADMINISTRATIVE PROCEDURES, PROPOSED ORDERS SHALL BE SUBMITTED TO THE COURT BY E-MAIL IN WORD FORMAT AT [bloom@flsd.uscourts.gov](mailto:bloom@flsd.uscourts.gov).**

**DONE AND ORDERED** in Chambers at Fort Lauderdale, Florida, this XXth day of XXXXX, 2016.

---

**BETH BLOOM  
UNITED STATES DISTRICT JUDGE**

cc: counsel of record