

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

CASE NO.-CIV-MOORE

Plaintiff,

vs.

Defendants.
_____ /

ORDER SETTING PRETRIAL CONFERENCE AND TRIAL DATE

This case is set for trial commencing the two-week trial period of _____ Miami, Florida. All parties are directed to report to the calendar call on _____ in Miami, Florida, United States Courthouse, Courtroom 13-1, 400 North Miami Avenue, Miami, Florida, at which time all matters relating to the scheduled trial date may be brought to the attention of the Court. A final pretrial conference as provided for by Rule 16, Fed. R. Civ. P., and Rule 16.1(C), S.D. Fla. L.R., is also scheduled for _____.

A bilateral pretrial stipulation and all other pretrial preparations shall be completed **NO LATER THAN FIVE DAYS PRIOR TO THE PRETRIAL CONFERENCE**. Any and all pretrial motions, including motions for summary judgment, must be filed no later than sixty (60) days prior to the trial date. All discovery shall be completed seventy (70) days prior to the date of trial. Mediation shall be completed no later than sixty (60) days before the scheduled trial date. The failure to engage in discovery pending settlement negotiations shall not be grounds for continuance of the trial date.

All exhibits must be pre-marked, and a typewritten exhibit list setting forth the number and description of each exhibit must be submitted at the time of trial. For a jury trial, counsel shall

prepare and submit proposed jury instructions to the Court. For a non-jury trial, the parties shall prepare and submit to the Court proposed findings of fact and conclusions of law fully supported by the evidence which counsel expects the trial to develop and fully supported by citations to law. The proposed jury instructions or the proposed findings of fact and conclusions of law shall be submitted to the Court no later than three days prior to the scheduled trial date. If drafted using a computer, a copy of the proposed jury instructions or proposed findings of fact and conclusions of law shall be submitted to the Court on a computer diskette.

Plaintiff's counsel shall notify any attorneys of record not listed below of this notice of trial.

DONE AND ORDERED in Chambers at Miami, Florida, this ____ day of _____, 2008.

K. MICHAEL MOORE
UNITED STATES DISTRICT JUDGE

Copies provided:
All Counsel of Record

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

CASE No. -CIV-MOORE

Plaintiff,

vs.

Defendants.
_____ /

ORDER OF REFERRAL TO MEDIATION

Trial having been set in this matter for _____ pursuant to Fed. R. Civ. P. 16 and S.D. Loc. R. 16.2, it is

ORDERED AND ADJUDGED as follows:

1. All parties are required to participate in mediation. The mediation shall be completed no later than sixty (60) days before the scheduled trial date.
2. Plaintiff's counsel, or another attorney agreed upon by all counsel of record and any unrepresented parties, shall be responsible for scheduling the mediation conference. The parties are encouraged to avail themselves of the services of any mediator on the List of Certified Mediators, maintained in the office of the Clerk of this Court, but may select any other mediator. The parties shall agree upon a mediator within fifteen (15) days from the date hereof. If there is no agreement, lead counsel shall promptly notify the Clerk in writing and the Clerk shall designate a mediator from the List of Certified Mediators, which designation shall be made on a blind rotation basis.
3. A place, date and time for mediation convenient to the mediator, counsel of record, and unrepresented parties shall be established. The lead attorney shall complete the form order scheduling mediation as provided in Local Rule 16.2 and submit it to the Court.

4. The appearance of counsel and each party or representatives of each party with full authority to enter in a full and complete compromise and settlement is mandatory. If insurance is involved, an adjuster with authority up to the policy limits or the most recent demand, whichever is lower, shall attend.

5. All discussions, representations and statements made at the mediation conference shall be confidential and privileged.

6. At least ten (10) days prior to the mediation date, all parties shall present to the mediator a brief written summary of the case identifying issues to be resolved. Copies of these summaries shall be served on all other parties.

7. The Court may impose sanctions against parties and/or counsel who do not comply with the attendance or settlement authority requirements herein or who otherwise violate the terms of this Order. The mediator shall report non-attendance and may recommend imposition of sanctions by the Court for non-attendance.

8. The mediator shall be compensated in accordance with the standing order of the Court entered pursuant to Rule 16.2B.6, or on such basis as may be agreed to in writing by the parties and the mediator selected by the parties. The cost of mediation shall be shared equally by the parties unless otherwise ordered by the Court. All payments shall be remitted to the mediator within 30 days of the date of the bill. Notice to the mediator of cancellation or settlement prior to the scheduled mediation conference must be given at least two (2) full business days in advance. Failure to do so will result in imposition of a fee for one hour.

9. If a full or partial settlement is reached in this case, counsel shall promptly notify the Court of the settlement in accordance with Local Rule 16.2.F, by the filing of a notice of settlement signed by counsel of record within ten (10) days of the mediation conference. Thereafter, the parties

shall forthwith submit an appropriate pleading concluding the case.

10. Within five (5) days following the mediation conference, the mediator 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.

11. If mediation is not conducted, the case may be stricken from the trial calendar, and other sanctions may be imposed.

DONE AND ORDERED in Chambers at Miami, Florida, this ____ day of ____, 2008.

K. MICHAEL MOORE
UNITED STATES DISTRICT JUDGE

copies provided:
All Counsel of Record

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

CASE NO. -CIV-MOORE

Plaintiff,

vs.

**ORDER OF REFERRAL OF PRETRIAL
DISCOVERY TO MAGISTRATE**

Defendants.
_____ /

PURSUANT to 28 U.S.C. § 636 and the Magistrate Rules of the Local Rules of the Southern District of Florida, the above-captioned Cause is referred to United States Magistrate Judge Andrea M. Simonton, to take all necessary and proper action as required by law with respect to any and all **pretrial discovery** matters. *Any motion affecting deadlines set by the Court's Scheduling Order is excluded from this referral unless specifically referred by separate Order.*

DONE AND ORDERED in Chambers at Miami, Florida, this ____ day of May, 2008.

K. MICHAEL MOORE
UNITED STATES DISTRICT JUDGE

copies provided:

United States Magistrate Andrea M. Simonton
All Counsel of Record