

IN THE TWELFTH JUDICIAL CIRCUIT COURT
IN AND FOR SARASOTA COUNTY, FLORIDA

JOSEPH PETITO ,
NICHOLE SCHMIDT ,
Plaintiff,

v.

CASE NO. 2022 CA 001128 SC
DIVISION H CIRCUIT

CHRISTOPHER LAUNDRIE ,
ROBERTA LAUNDRIE ,
Defendant.

**CIRCUIT CIVIL CASE MANAGEMENT ORDER AND
ORDER SETTING INITIAL CASE MANAGEMENT HEARING**
(for General Track cases)

The Twelfth Judicial Circuit's Civil Case Management Protocol requires the parties to meet and confer within 30 days after the last party is served with initial process to discuss, and jointly complete, the attached Case Management Report. A fillable Case Management Report may be found at <https://www.jud12.flcourts.org/About/Divisions/Civil>. The parties must submit the completed Case Management Report to the Court within 5 days after the initial meet and confer (not 5 days after the last conference, if more than one meet and confer).

Separately, the Court sets a mandatory Initial Case Management Conference as follows:

Date & Time: 06/30/2022 at 1:30PM
Location: South County Justice Center - 4004 South Tamiami Trail
Venice, FL 34293
Courtroom: to be determined
Zoom credential: <https://www.zoom.us/> Click "Join A Meeting"
Meeting ID: 583 020 2997
Password: 040201
Audio: 1.253.215.8782—only if no video access

Appearance at that Initial Case Management Conference is mandatory, *unless excused by the Court*. Fla. R. Civ. P. 1.200(a). Failure to attend could result in the Court dismissing the action, striking the pleadings, limiting proof or witnesses, or taking other appropriate action. Fla. R. Civ. P. 1.200(c). Appearance shall be as follows:

- The parties must appear in person at the Courthouse.
- The parties must appear by Zoom.

[X] The parties may choose to appear in person at the Courthouse or by Zoom.

The Court's expectation is that the parties in most cases will agree to various deadlines in the Case Management Report and will not have to appear at the Initial Case Management Conference. If, however, there is disagreement on completing the Case Management Report, the parties must appear at the Initial Case Management Conference.

Based on the Case Management Report, the Court will enter a Case Management Order, a Trial Order, or both. The Case Management Order will tell the parties whether they are excused from attending the Initial Case Management, and it will set various deadlines that will govern the progression of the case. The parties must adhere to these deadlines unless changed by the Court upon a showing of good cause. Procrastination in completing discovery or the known unavailability of counsel not timely addressed will not constitute good cause for a change to these deadlines. The failure to abide by these deadlines may result in sanctions by the Court, including the award of attorney's fees, the striking of pleadings, and/or a dismissal of the action.

This case has been designated as a "general track" case. Jury cases should be disposed of within 18 months of filing, and nonjury cases should be disposed of within 12 months of filing. Fla. Rule of General Practice and Judicial Administration 2.250(a)(1)(B). Parties who seek an extended trial date beyond these time standards may be required appear at the Initial Case Management Conference.

The Court hereby orders:

1. Plaintiff shall serve a copy of this Order upon all defendants within 7 days of initial process and file a Certification of Compliance in the court file that specifies, at a minimum, the date of service, the method of service, and specific address served.
2. The parties, or their attorneys, shall meet and confer within 30 days after the last party is served with initial process to meet and confer and jointly complete the Case Management Report, which is attached to this Order.
3. The parties, or their attorneys, shall file the signed, completed Case Management Report within 5 days after the first meet and confer conference. Concurrently, the parties shall provide a copy of that Case Management Report to the assigned judge's Judicial Assistant via email, copying all parties. If there is no agreement, each party shall file their proposed Case Management Report and concurrently email the Court's judicial assistant with it, copying all parties.
4. Each attorney that appears on behalf of a party must file in the Court file a notice of appearance and designation of email address. If multiple attorneys from the same law firm appear, each attorney must file a separate notice of appearance and designation of email address. If an attorney represents multiple parties, the attorney must file a separate notice of appearance and designation for each party that attorney represents. This is an on-going requirement for any new attorney that appears during the litigation. Each attorney that appears is fully responsible for the case.

5. The attorneys shall comply with the Local Rules of the Twelfth Judicial Circuit and the Standards of Professionalism of the Twelfth Judicial Circuit, each of which is posted on the Court's website: www.jud12.flcourts.org.

Court Reporters

The Court does not provide a court reporter. If a party wishes to have a court reporter present, that party must arrange for the court reporter's attendance and must notify all other parties before the hearing.

No Recording Proceedings

By court rule and court order, you are not authorized to make your own audio or visual recording of a court proceeding. No one may take "screenshots" or other audio or visual depictions of a court proceeding. Recording a court proceeding is strictly prohibited unless approved by the Judge. If you violate these rules, you may be held in contempt of court. Members of the media must comply with rule 2.450 and administrative order 2020-23.2 regarding media coverage. Please contact the Court's Public Information Officer for further information.

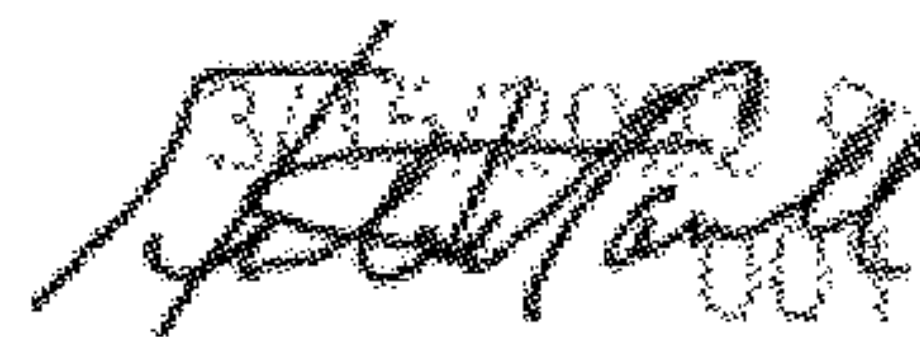
Late entry or Technical Difficulties

If the hearing is to be by Zoom, and if you are not logged in when the hearing begins, the judge may not interrupt the proceedings to admit you to the hearing. If you have trouble logging in, and you wish to participate in the hearing, contact the Court's Judicial Assistant immediately.

ADA Notice

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 the Sarasota County Jury Office, P.O. Box 3079, Sarasota, Florida 34230-3079, (941) 861-8000, at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711.

DONE AND ORDERED in Venice, Sarasota County, Florida, on 03/15/2022.

 3/15/2022 9:17 AM 2022 CA
001128 SC

e-Signed 3/15/2022 9:17 AM 2022 CA 001128 SC

HUNTER W CARROLL CIRCUIT JUDGE

SERVICE CERTIFICATE

On 03/15/2022, the Court caused the foregoing document to be served via the Clerk of Court's case management system, which served the following individuals via email (where indicated). On the same date, the Court also served a copy of the foregoing document via First Class U.S. Mail on the individual who do not have an email address on file with the Clerk of Court.

PATRICK J REILLY
355 WEST VENICE AVENUE
VENICE, FL 34285

PATRICK J REILLY
355 WEST VENICE AVENUE
VENICE, FL 34285

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR SARASOTA COUNTY, FLORIDA

Plaintiff(s) / Petitioner(s),

v.

Case No.: _____

Division: _____

Defendant(s) / Respondent(s).

CASE MANAGEMENT REPORT
(for use in General Cases – Circuit Civil)

Did all parties meet and confer as required?

- Yes.
 No. (Must attend Initial Case Management Conference unless the Court excuses you.)

This Case Management Report is submitted on behalf of:

- All parties named in this lawsuit, each of whom agrees to this Report.
 Only on behalf of the following party or parties: _____

The parties in this lawsuit request a:

- Jury trial (to begin within 18 months of the date of filing of the lawsuit).
Proposed trial date: _____ *PTC:* _____ *DS:* _____
 Nonjury trial (to begin within 12 months of the date of filing of the lawsuit).
Proposed trial date: _____ *Docket Sounding:* _____
 An extended trial date; may require appearance at Initial Case Management Conference. Briefly describe the reason for the request and include proposed month and year of trial: _____

Do you believe the trial will last more than 5 days (inclusive of jury selection)?

- Yes.
 No.

Setting the case for trial:

- The parties waive the “at issue” requirement and request the Court to enter an order setting the case for trial for the date agreed to above.
 The parties do not waive the “at issue” requirement, and the Plaintiff must send the Court a proposed order setting the case for the date agreed to above within 15 days of the case being at issue. The Court will set a firm trial date when at issue.
 The parties do not agree to a proposed trial date and will attend Initial Case Management Conference and will discuss with the Court setting the case for trial.

Trial calendars are posted at <https://www.jud12.flcourts.org/About/Divisions/Civil> under “DeSoto,” “Manatee,” “Sarasota,” and “South County (Venice)” tabs.

The Court in establishing Case Management deadlines will give due regard to the parties’ proposed deadlines. As required by various administrative orders, Case Management deadlines established in the case management order will be strictly enforced. A party must demonstrate good cause for a date to be changed.

DEADLINE, EVENT, OR QUESTION	RESPONSE
Do all parties agree to this Case Management Report? (If no, you must attend the Initial Case Management Conference unless excused by the Court.)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Date this lawsuit was filed.	
Have all Defendants been served?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If all Defendants have not been served, what deadline do you propose by when the last Defendant will be served?	
Do the parties believe a counterclaim, crossclaim, or third-party complaint may be filed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have all counterclaims, third-party claims, and crossclaims been served on the relevant defendant party?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not applicable
Deadline to file a Motion to Add Party or Amend Pleadings. (If the movant has not scheduled the motion for hearing within 15 calendar days of filing the motion, the Court may deny the motion as being in violation of the case management order. The motion does not need to be heard within 15 days; it simply must be set for hearing.)	
Deadline for all motions to dismiss directed to the pleadings or objections to the pleadings to be resolved, including motions to strike. (If greater than 60 days, parties must appear at the Initial Case Management Conference, unless excused by the Court.)	
Do the parties believe discovery will include substantial Electronically Stored Information or significant Court time to address Electronically Stored Information?	<input type="checkbox"/> Yes <input type="checkbox"/> No

<p>Do the parties agree to exchange initial witness and exhibit lists? If so, by what date? (The Court recommends 30 days after filing of this report.)</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>Do the parties anticipate having one or more expert witnesses? (The Court limits each party to one expert per specialty.)</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> unknown
<p>Deadline to file expert witness lists for experts used to support affirmative claims. (The Court recommends 90 days before the Pre-Trial Conference date in jury cases and 90 days before the Trial Period in nonjury cases.)</p>	
<p>Deadline to file expert witness lists for experts used to oppose affirmative claims. (The Court recommends 60 days before the Pre-Trial Conference date in jury cases and 60 days before the Trial Period in nonjury cases.)</p>	
<p>Do the parties agree to have the experts author written reports?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>If the parties agree to have the experts author written reports, the deadline for experts used to support affirmative claims to submit their written reports. (The Court recommends 60 days before the Pre-Trial Conference.)</p>	
<p>If the parties agree to have the experts to author written reports, the deadline for experts used to oppose affirmative claims to submit their written reports. (The Court recommends 30 days before the Pre-Trial Conference.)</p>	
<p>Deadline to file a motion seeking to add a nonparty to the verdict form (i.e., <u>Fabre</u> defendant). (The Court recommends 45 days before the Pre-Trial Conference.)</p>	
<p>Deadline to file final witness and exhibit lists, which list includes designation of those witnesses and exhibits a party reasonably believes the party will call or use in trial. (The Court recommends 45 days before the Pre-Trial Conference date in jury cases and 45 days before the Trial Period in nonjury cases.)</p>	
<p>Discovery deadline. No discovery may occur after this date without Court permission or, only if permitted by the Court, agreement of all parties. (The Court recommends the Pre-Trial Conference Date for jury cases and 30 days before the first day of the Trial Period for nonjury cases.)</p>	

Dispositive motion (i.e., summary judgment) and <u>Daubert</u> motion deadline to be filed. (The Court recommends no later than 90 days before the first day of the Trial Period.)	
Dispositive motion (i.e., summary judgment) and <u>Daubert</u> motion deadline to be heard. (These motions may not be heard within 30 days before the first day of the Trial Period without Court permission. Any pending motion not heard by the Court by this deadline will be denied.)	
Deadline for all other motions to be heard. (The Court will not permit motions to be heard after Docket Sounding without Court permission. Any pending motion after this date will be denied.)	
Mediation deadline (The Court recommends no later than the Pre-Trial Conference date.)	

Magistrate Referral

The Court refers certain matters to a general magistrate as permitted by Florida Rule of Civil Procedure 1.490(a). The Court will refer all motions directed to the pleadings and all discovery motions. The parties may agree to additional matters to be referred.

Attorney Appearance

Each attorney that appears on behalf of a party must file a separate notice of appearance and designation of email address. (Multiple attorneys within the same firm must each file a separate notice of appearance and designation of email address.) This is an on-going requirement for any new attorney that appears during the litigation. Each attorney that appears is fully responsible for the case.

Please identify all known attorneys currently appearing for each party for each status that parties holds, such as Plaintiff or Defendant. Some parties may have more than one status, such as Defendant and Counterclaim Plaintiff, and will have multiple entries in the table below. If a party does not have an attorney, simply complete the Party Name and Status of the table below. Please remember that each corporate entity must have an attorney represent it. Additionally, an individual sued in a representative capacity, such as Trustee, must have an attorney represent the person in the person's representative capacity.

Party Name	Status	Attorney Name	FL Bar #

The parties agree to this Case Management Report in Case Number _____:

Name: _____
Bar Number: _____
Firm: _____
Email: _____
Address 1: _____
Address 2: _____
Address 3: _____
Attorney for: _____
Date: _____

Signature

Name: _____
Bar Number: _____
Firm: _____
Email: _____
Address 1: _____
Address 2: _____
Address 3: _____
Attorney for: _____
Date: _____

Signature

Name: _____
Bar Number: _____
Firm: _____
Email: _____
Address 1: _____
Address 2: _____
Address 3: _____
Attorney for: _____
Date: _____

Signature

Certificate of Service

On _____, I certify (1) that I sent a copy of the Case Management Report directly to the assigned judge's Judicial Assistant AND (2) I either (check one box):

electronically filed the foregoing Case Management Report with the Clerk of Court by using the Florida Court, which will send a copy to:

or

served a copy of the foregoing Case Management Report by First Class U.S. Mail to:

Name: _____
Bar Number: _____
Firm: _____
Email: _____
Address 1: _____
Address 2: _____
Address 3: _____
Attorney for: _____

Name: _____
Bar Number: _____
Firm: _____
Email: _____
Address 1: _____
Address 2: _____
Address 3: _____
Attorney for: _____

Name: _____
Bar Number: _____
Firm: _____
Email: _____
Address 1: _____
Address 2: _____
Address 3: _____
Attorney for: _____

Signature