

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION
www.flmb.uscourts.gov

In re)
)
*****) Case No. 6:**-bk-*****-GER
) Chapter **
Debtor(s).)
_____)

**ORDER (1) SCHEDULING TRIAL AND
(2) DIRECTING PARTIES AND WITNESSES TO APPEAR IN PERSON**

THIS CASE came on for a [status conference/hearing/etc.] on _____ at
_____ a.m./p.m. For the reasons stated orally and recorded in open Court, a Trial has been
scheduled in this case. The Court requires that the parties and witnesses appear **in person** at the
Trial. Accordingly, it is

ORDERED:

1. A _____-hour Trial is scheduled for _____ **a.m./ p.m. on** _____
("Trial") at the George C. Young Federal Courthouse, 400 West Washington Street, Sixth Floor,
Courtroom D, Orlando, Florida 32801 on:

a. [insert matters] (Doc. No. _____);

2. Unless the party or witness has been excused by the Court, all parties and witnesses
are directed to appear **in person** at the Trial. Any party or witness seeking to be excused from the

requirement to appear in person must file a motion setting forth why the individual cannot appear in person, as well as whether the opposing party consents to the appearance via video. Any request to be excused from the requirement to appear in person shall be by motion filed with the Court at least seven days prior to Trial and shall be accompanied by a proposed order.

3. The requirements and deadlines under Local Rules 7001-1 and 9070-1 apply to this contested matter, as specified below:

- a. Discovery Period. Parties shall complete discovery no later than seven days before the Trial¹ date except that the parties may complete previously scheduled depositions up to the Trial date.
- b. Summary Judgment Motions. Motions for summary judgment shall be filed no later than 75 days prior to Trial.
- c. Disclosure of Witnesses and Use of Depositions. Parties shall file and exchange names, telephone numbers, and addresses for witnesses, and any designations of depositions at least 28 days before Trial. Objections to the use of depositions in lieu of live testimony shall be filed within 14 days of the disclosure.² Parties shall confer on any factual or evidentiary stipulations prior to Trial.
- d. Exhibits. Parties shall prepare exhibits in compliance with Local Rule 9070-1 and shall file and exchange exhibits no later than seven days before the date set for Trial.
 - i. The requirement in Local Rule 9070-1(a)(5) regarding exhibit cover sheets is waived. Exhibit cover sheets do not need to be included unless the exhibit is admitted at Trial and was not listed on the exhibit list.
 - ii. A party who intends to rely upon the self-authentication procedures of Fed. R. Evid. 902(11) or (12) to introduce into evidence records of regularly conducted activities under Fed. R. Evid. 803(6) shall, within at least 28 days before Trial, file with the Court and serve on other parties the written declaration required by Fed. R. Evid. 902(11) or (12) and a copy of all records sought to be admitted.
 - iii. Written objection to the admission of an exhibit into evidence on the grounds that the exhibit (a) lacks authentication or (b) does not qualify as an exception to the hearsay rule as a record of a regularly conducted

¹ To be considered timely, unless otherwise agreed to by the parties, all discovery requests must be issued in compliance with the Federal Rules of Civil Procedure with a return date that is no later than seven days before the Trial date.

² Objections as to admissibility of deposition testimony are preserved until the particular testimony is offered at Trial.

activity under Fed. R. Evid. 803(6) must be filed before the close of business two days before Trial, or the objection will be deemed waived.

- iv. The requirement in Local Rule 9070-1(c)(2) to provide additional paper copies of exhibits to be used by witnesses is waived, except that a party shall deliver a binder or binders of exhibits at least 48 hours before the Trial to:

- 1. Any *pro se* party; and
- 2. Any party that requests a paper copy.

- e. Experts and Expert Reports. Unless the Court orders otherwise, a party who wishes to offer expert testimony at Trial shall comply with the requirements of Fed. R. Civ. P. 26(a)(2) and the timing set forth in Fed. R. Civ. P. 26(a)(2)(D).
- f. Stipulations. All stipulations of the parties shall be made in writing, signed, and filed with the Court at least two days before Trial.

4. Discovery Disputes. The parties shall first confer in good faith to resolve any discovery disputes. Parties and counsel must attend all hearings regarding disputed discovery issues in person. *See Hearings on Discovery Disputes in Jacksonville and Orlando Divisions Effective September 1, 2023.*³

5. Meet and Confer Requirement. Counsel for all parties shall confer on or before **[insert date that is seven days before Trial]** and seek in good faith to settle the contested matter.

6. Appropriate Attire. You are reminded that Local Rule 5072-1(b)(19) requires that all persons appearing in Court should dress in appropriate business attire consistent with their financial abilities.

7. Avoid Delays at Security Checkpoints. Please note that a photo ID is required for entry into the courthouse.

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Attorney [Debtor's Attorney] is directed to serve a copy of this Order on interested parties who do not receive service by CM/ECF and to file a proof of service within three days of entry of this Order.

³ http://www.flmb.uscourts.gov/orlando/Hearings_on_Discovery_Disputes_in_Jax_and_Orl.pdf