

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT
IN AND FOR COLLIER COUNTY, FLORIDA

CIVIL ACTION

SCOTT MOORE
Plaintiff(s),

vs.

CASE NO: 11-2020-CA-001471-0001-XX

MASON CLASSICAL ACADEMY INC
Defendant(s).

ORDER SCHEDULING CASE MANAGEMENT CONFERENCE

The Court has scheduled a case management conference in this case, before the Judge and Case Manager, pursuant to Florida Rule of Civil Procedure 1.200(a), and Florida Rule of Judicial Administration 2.545, on **December 4, 2020 at 9:00 A.M.** The parties must appear via ZOOM. **(If an Agreed Plan is NOT submitted and approved). Please see the assigned Judge website Zoom instructions regarding the meeting number/password.**

1. **Prior to Case Management Conference.** Each counsel **must** confer with his or her client(s) prior to the case management conference in order to determine the client's position with respect to settlement, pleading, admissions, and other matters that require the consent of the client. Counsel shall be prepared to make the representation that this conference has taken place. Trial counsel and those parties who are not represented by counsel (hereinafter referred to as "pro se" parties) **must** confer not later than **14 calendar days** prior to the case management conference and discuss agreements on as many of the issues listed below in paragraph 2.A. as possible. Trial counsel and/or the parties shall be prepared to discuss the possibility of settlement of the case. Trial counsel and pro se parties shall work together to agree on the provisions of an agreed Case Management Plan, in the form attached hereto, and shall be prepared to discuss any unresolved issues at the Case Management Conference.

2. **Case Management Conference.** Trial counsel and pro se parties **must** personally appear and attend the case management conference. Those attending shall bring their personal

calendars to the case management conference. Those attending **must** have a thorough knowledge of the case, be prepared to discuss it and make stipulations and admissions when appropriate.

A. Those attending **must** be prepared to discuss:

i. Scheduling or rescheduling deadlines for the service of motions, pleadings and other papers. This shall include adding, dropping or amending claims or defenses and adding or dropping parties.

ii. Determining the existence of issues that may be severed and/or resolved pre-trial.

iii. Limiting, scheduling, ordering and expediting discovery. This shall include the desirability of creating document depositories and addressing the handling of privilege and confidentiality claims.

iv. Scheduling hearings and/or deadlines for motions (including motions addressed to the pleadings, motions to declare the case “complex” pursuant to Florida Rule of Civil Procedure 1.201(a) and motions for summary judgment), mediation, alternative dispute resolution and other conferences.

v. Requiring interim status reports, and determining other matters that may aid in the disposition of the action and resolution of pretrial motions, discovery and preparation for mediation, alternative dispute resolution and trial.

vi. Determining whether issues can be narrowed by the filing of preliminary stipulations.

vii. Organizing counsel to include the designation of lead counsel and liaison counsel, the role of other counsel, and responsibility for the preparation and maintenance of a service list.

viii. Establishing procedures for addressing emergencies, including the use of telephone conferences.

ix. Identifying present or potential future related litigation, including the transfer and consolidation of intra-circuit civil cases; civil cases in other circuits; and/or criminal proceedings and investigations.

x. If the case is filed as a class action: establishing a procedure, discovery schedule and deadlines, and a hearing date to determine the issue of class certification, to include a briefing schedule, exchange of witness and exhibit lists, and clarifying disputed issues of fact and law.

xi. Estimating the time needed for trial and setting a tentative trial date.

xii. Any of the issues set forth in Florida Rule of Civil Procedure 1.200(a).

B. At the case management conference, the Case Manager will address the unresolved provisions of the Case Management Plan and submit a proposed plan for the court's consideration and approval.

C. The proceedings at the case management conference shall be informal and will not be reported unless requested by a participant who makes prior arrangements with the court reporter.

3. **Referral of discovery matters to the General Magistrate.** In any civil case before the Court, discovery motions and other appropriate pending matters may be referred to the General Magistrate for hearing pursuant to an Order of Referral to Magistrate. Any party wishing to object to the referral of a matter to the General Magistrate must file an objection no later than the day of the scheduled hearing. The failure to timely object to the referral as set forth herein shall constitute a waiver of any objection to such referral.

4. **Alternative to attending Case Management Conference.** As an alternative to attending a case management conference, counsel and pro se parties may comply with this order by submitting an "Agreed Case Management Plan". The Plan must be signed by all counsel and pro se parties and received by the Civil Case Manager (*collieragreedplan@ca.cjis20.org*) not later than **7 calendar days** prior to the conference. The Plan will also be considered timely if the parties submit the signed original to the Civil Case Manager e-mail transmission: *collieragreedplan@ca.cjis20.org*, not later than 7 calendar days prior to the conference. Upon written approval by the Court, the Plan will be filed with the Clerk of Court, a copy served on all counsel and/or parties of record, and the case management conference shall be cancelled. If the Court does not approve

of the Plan, the case management conference will **not** be cancelled. Applicable forms are available on the Court's 20th judicial website (**Civil Case Management-Collier**).

5. **Sanctions**. Counsel and/or parties are hereby cautioned that misconduct, failure to attend the case management conference or noncompliance with the terms of this order may result in sanctions by the Court. Sanctions may include the assessment of special costs, including attorney's fees, the striking of pleadings and/or the dismissal of the action.

DONE AND ORDERED in Chambers, Collier County, Florida on this **21st day of October, 2020**.



eSigned by Krier, Elizabeth V in 11-2020-CA-001471-0001-XX 10/21/2020 11:18:49 wfxPyoWv

Elizabeth Krier, Circuit Court Judge

Electronic Service per e-Portal Service List:

Benjamin H. Yormak <byormak@yormaklaw.com>, <yormakstaff@yormaklaw.com>, <yormakstaff2@yormaklaw.com>

Jonathan E Kanov <jekanov@mdwgc.com>, <kafriday@mdwgc.com>

AMERICANS WITH DISABILITIES ACT

“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 CHARLES RICE, ADMINISTRATIVE SERVICES MANAGER WHOSE OFFICE IS LOCATED AT 3315 EAST TAMiami TRAIL, SUITE 501, NAPLES, FLORIDA, 34112 AND WHOSE TELEPHONE NUMBER IS (239) 252-8800 AT LEAST 7 DAYS BEFORE YOUR SCHEDULED COURT APPEARANCE, OR IMMEDIATELY UPON RECEIVING THIS NOTIFICATION IF THE TIME BEFORE THE SCHEDULED APPEARANCE IS LESS THAN 7 DAYS; IF YOU ARE HEARING OR VOICE IMPAIRED, CALL 711.”