

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 09-80190-CIV-HURLEY/HOPKINS

JONATHAN E. PERLMAN,

Plaintiff,

v.

CAPTIN CONSTRUCTION GROUP,  
INC., et al.,

Defendants.

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**ORDER ON TRIAL PREPARATION AND CALENDAR CALL**

**THIS CAUSE** is nearing a previously-set trial and calendar call date. *See* DE # 14. Counsel for all parties shall appear at a calendar call commencing at **2:00 p.m.** on **Monday, October 4, 2010**. To the extent that any provision in this order may conflict with an earlier order, this order shall supersede all prior orders.

It is also **ORDERED** and **ADJUDGED** that:

**1. Exhibit Lists**

On the first day of trial, each party shall hand to the court reporter **two complete copies** of its **exhibit list**. The list, set out on Form AO 187 (available from the court's website), shall indicate the pre-marked number, a brief description of the exhibit and shall contain a space or a line for the court's ruling on the admissibility of each exhibit.

**2. Witness Lists**

On the first day of trial, each party shall hand to the court reporter **two complete copies** of its **witness list**. The witness list shall include the names of all persons intended to present

expert testimony, and shall clearly mark their intended designation as “expert” witness.

### **3. Exhibit Marking**

Each party shall mark the exhibits **numerically** prior to the filing of the pretrial stipulation. Each exhibit shall be marked with a sticker identifying the case number, exhibit number, and party offering the exhibit. All exhibits shall be shown to opposing counsel at the pretrial stipulation meeting. *Note:* This requirement is in addition to, and does not supplant, the duties imposed by Rule 26(a)(3), Fed. R.Civ. P., and this court’s prior order setting discovery deadlines.

### **4. Depositions**

Counsel shall provide opposing counsel with a list of the depositions which are intended to be used at trial, citing relevant page and line numbers, by no later than the time for filing of the pretrial stipulation.

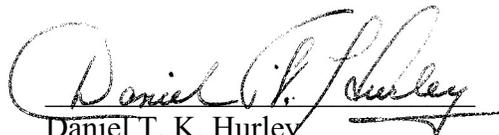
### **5. Jury Instructions**

For all jury trials, on the **first day of trial**, each party shall submit its proposed **jury instructions**. The submission shall consist of one hard copy and one PC- compatible disk.

### **6. Proposed Findings of Facts & Conclusions of Law (Non-Jury Trials)**

For all non-jury trials, on the first day of trial, each party shall submit its proposed findings of fact and conclusions of law. This submission shall consist of one hard copy and one PC-compatible disk.

**DONE** and **SIGNED** in Chambers at West Palm Beach, Florida, this 16<sup>TH</sup> day of August, 2010.

  
Daniel T. K. Hurley  
U. S. District Judge

*Copies provided to counsel of record*