

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

DREW ADAMS, a minor, by and through
his next friend and mother,
ERICA ADAMS KASPER,

Plaintiff,

vs.

Case No. 3:17-cv-739-J-32JBT

THE SCHOOL BOARD OF ST. JOHNS
COUNTY, FLORIDA,

Defendant.

CASE MANAGEMENT AND SCHEDULING ORDER

Upon review of the file, including the parties' Case Management Report (Doc. 55),
it is hereby

ORDERED:

1. Defendant's motion to dismiss Count II of plaintiff's complaint (Doc. 54) will be carried with the case and decided as part of the Court's Findings of Fact and Conclusions of Law following trial. Instead of filing a separate response to the motion, plaintiff shall incorporate his response in his proposed findings of fact and conclusions of law.

2. The Court will allow the parties to perpetuate testimony of the witness who is unavailable during the week of December 11, 2017.¹

3. The parties state in their Case Management Report (Doc. 55) that they wish to mediate by December 1, 2017 and will work together to identify a mediator. If the parties

¹At trial, the parties will be permitted to read the relevant portions of the deposition testimony or, if the deposition is videotaped, they may play it in open court.

are interested, the undersigned will ask a Magistrate Judge to conduct a settlement conference. No later than **September 15, 2017** the parties shall file a notice of their selected mediator or a request for a settlement conference with a Magistrate Judge.

4. In all other respects, the following schedule shall govern these proceedings:

Mandatory Initial Disclosures (pursuant to Fed.R.Civ.P. 26(a)(1))	September 8, 2017
Certificate of Interested Persons and Corporate Disclosure Statement	completed
Motions to Add Parties or to Amend Pleadings	September 15, 2017
Disclosure of Expert Reports	Affirmative Experts: Rebuttal Experts:
	October 2, 2017 November 3, 2017
Fact and Expert Discovery Deadline	November 22, 2017
Joint Final Pretrial Statement	November 29, 2017
All Other Motions Including Motions <u>In Limine</u> ²	November 29, 2017
Final Pretrial Conference	Date: Time:
	December 1, 2017 3:00 P.M.
Preliminary Findings of Fact and Conclusions of Law (limited to 35 pages)	December 7, 2017
Trial Term Begins (Date Certain) Non-Jury, 3 days	December 11, 2017 9:00 A.M.
Post-trial Findings of Fact and Conclusions of Law (page limit to be established at the conclusion of the trial)	To be established at the conclusion of the trial

5. With respect to discovery matters, the date set forth above is the final date discovery shall be completed. All requests and motions pertaining to discovery shall be filed

²Because this is a non-jury trial and the case is being scheduled on an expedited basis, the Court does not intend to decide any Daubert motions in advance of trial. Parties may file Daubert motions by November 29, 2017 to alert the Court to objections to experts they will raise at trial.

promptly so that the discovery desired will be due prior to the completion date. Specifically, motions to compel brought pursuant to Rule 37 must be filed no later than the close of discovery. The parties should be aware that a stipulation to the continuance of discovery anticipates no discovery disputes. Therefore, the Court will not hear discovery disputes arising during the stipulated continuance. The parties are further advised that any extension of discovery will not result in an extension of the other deadlines except upon order of the Court.

6. The parties are reminded of their obligation to comply with the redaction requirements set forth in Fed.R.Civ.P. 5.2.

7. Pursuant to Local Rule 3.01(a), any motion and memorandum in support must be in a single document not to exceed 25 pages absent leave of Court. Responses to motions may not exceed 20 pages absent leave of Court. Please deliver a courtesy copy of all filings, including copies of all relevant exhibits and depositions, to the chambers of the undersigned.

8. Except as otherwise ordered, the parties are directed to meet the pretrial disclosure requirements in Fed.R.Civ.P. 26(a)(3) and to timely adhere to all requirements in Local Rule 3.06 concerning Final Pretrial Procedures. While counsel for the Plaintiff shall be responsible for initiating the pretrial compliance process, all parties are responsible for assuring its timely completion.

9. A pretrial statement in compliance with Local Rule 3.06 shall be filed with the Clerk on or before the date noted in this Order with two courtesy copies to be provided to the Court. The parties are required to identify the depositions to be read at trial in the

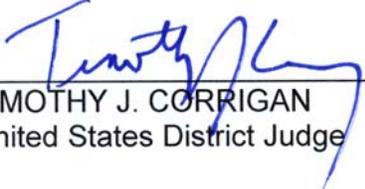
pretrial statement but are not required to designate the pages of depositions to be read at trial until a date to be established by the Court at the final pretrial conference.

10. The final pretrial conference and trial will be held before the undersigned in Courtroom 10D, 10th Floor, United States Courthouse, 300 North Hogan Street, Jacksonville, Florida. The pretrial conference shall be attended by counsel who will act as lead counsel and who are vested with full authority to make and solicit disclosures and agreements touching on all matters pertaining to the trial.

11. In preparing their Proposed Findings of Fact and Conclusions of Law, the parties may wish to review the Court's published non-jury decisions, such as Church of Our Savior v. City of Jacksonville Beach, 69 F.Supp.3d 1299 (M.D. Fla. 2014).

12. The parties are advised (and should advise their witnesses) that photo identification is required to enter the United States Courthouse. Although cell phones, laptop computers, and similar electronic devices generally are not permitted in the building, attorneys may bring those items with them upon presentation to Court Security Officers of proof of membership in The Florida Bar or an Order of special admission pro hac vice.³

DONE AND ORDERED at Jacksonville, Florida, this 4th day of September, 2017.


TIMOTHY J. CORRIGAN
United States District Judge

s.
copies to:
counsel of record

³ Cell phones must be turned off while in the courtroom.