

**IN THE CIRCUIT COURT  
OF THE EIGHTH JUDICIAL CIRCUIT  
IN AND FOR ALACHUA COUNTY, FLORIDA**

**CASE NUMBER: 01-2017-CA-001288  
Circuit Civil Division K**

**PAT DOUGHERTY AND ANITA FORESTER  
AS CO-PERSONAL REPRESENTATIVES OF THE ESTATE  
OF ABIGAIL DOUGHERTY,  
Plaintiffs,**

**-vs-**

**WCA OF FLORIDA LLC,  
Defendant.**

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**PRETRIAL ORDER  
[Fla. R. Civ. P. 1.200(d)]**

THIS ACTION was heard at pretrial conference on September 17, 2018, and it is

ADJUDGED that:

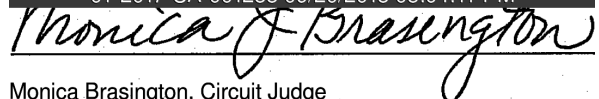
1. **REPORTING FOR TRIAL:** Trial counsel and the parties participating in this trial shall appear before the Court at Room 415, Alachua Family/Civil Justice Center, 201 E University Avenue, Gainesville, Florida, on **Monday, October 01, 2018**, at **9:00am** ready to commence trial. Because the number of cases remaining on the civil trial docket may require the temporary assignment of other judges, the parties are encouraged to contact the undersigned's judicial assistant on the Friday before trial to verify who the presiding judge will be and in which courtroom the trial will take place.
2. **JURY SELECTION:** Jury selection shall commence as soon as practicable after qualification of the venire. The trial shall commence immediately after jury selection. Seven (7) days have been reserved for jury selection and trial.
3. **PEREMPTORY CHALLENGES:** Plaintiff shall have three (3) peremptory challenges, and Defendant shall have three (3) peremptory challenges.

4. **ISSUES FOR TRIAL:** Issues for trial include liability, causation and damages.
5. **STATEMENT OF THE CASE:** The parties shall agree upon and submit to the Court a very concise and neutral statement of the case by September 24, 2018, which will be read to the venire prior to the commencement of jury selection.
6. **EVIDENTIARY STIPULATIONS:** The parties have made evidentiary stipulation as to the authenticity of all documents produced in discovery without records custodians. The parties agree that both videos produced during discovery are admissible and agree that these videos will be moved into evidence in a DVD format.
7. **AUTHENTICATION:** All documentary evidence which has been disclosed in accordance with the Order Scheduling Pretrial Conference and Jury Trial is deemed to be authentic, and no witness is required for authentication.
8. **RULINGS ON MOTIONS IN LIMINE, OBJECTIONS TO DEPOSITIONS, ETC.:** A separate hearing on these motions has been scheduled for September 25, 2018.
9. **PRE-MARKING OF EXHIBITS:** The parties shall pre-mark all exhibits. Those exhibits which the parties agree are admissible shall be marked numerically in the anticipated order in which they will be introduced. Those exhibits which the parties do not agree are admissible shall be marked alphabetically for identification only. Lists of each party's agreed exhibits "in evidence" and exhibits marked "for identification only" shall be given to the clerk at the commencement of trial.
10. **JURY INSTRUCTIONS:** The parties have submitted their jury instructions. A charge conference shall occur towards the conclusion of the trial.
11. **DEPOSITION TESTIMONY:** Prior to the first day of the trial, the parties shall disclose to each other all deposition testimony, including page and line, which is intended to be read or shown to the jury, and all objections thereto shall be heard either before or after the hours when the jury is present.
12. **WITNESSES:** Prior to the first day of the trial, and at the end of each day of the trial, the appropriate party shall announce to the Court and to the opposing party the names of the witnesses who will be called to testify on the first or next day of the trial.
13. **DOCUMENTS, ETC.:** Prior to the first day of the trial, and at the end of each day of the trial, the appropriate party shall announce to the Court and to the opposing party the documents and other tangible evidence which will be offered into evidence on the first or next day of the trial.

14. **JUROR QUESTIONS AND NOTE TAKING:** The jurors will be permitted to take notes during the course of the trial, and the appropriate instruction will be given to them by the Court. The parties agree that the jurors will not be invited to submit questions during the trial.
15. **LENGTH AND PROGRESSION OF TRIAL:** Seven (7) days have been reserved for jury selection and trial. The parties shall each have two (2) hours for voir dire. Should the parties require additional time for voir dire, they may request same from the Court at trial. The parties have agreed to utilize forty-five (45) minutes, per side, for opening statements.
16. **EFFECT OF PREVIOUS ORDER:** All provisions of the Order Setting Pretrial Conference and Jury Trial, which are not inconsistent with the terms of this Order, shall remain in effect through the conclusion of the trial.
17. **POST-TRIAL MOTIONS:** Post-trial motions, if any, shall be scheduled for hearing through the office of the undersigned judge.
18. Discovery is extended, by agreement of the parties, through September 20, 2018, in order to take the depositions of Dr. Sawyer and Dr. Pape.

DONE AND ORDERED in Gainesville, Alachua County, Florida on this Thursday, September 20, 2018.

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Monica Brasington, Circuit Judge

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## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies have been furnished by U.S. Mail or via filing with the Florida Courts E-Filing Portal on Friday, September 21, 2018 to the following:

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Ruby Dunaway, Judicial Assistant  
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**Under the Americans with Disabilities Act, if you are a person with a disability who needs any accommodation in order to participate in a proceeding, you are entitled to be provided with certain assistance at no cost to you. Please contact the ADA Coordinator at (352) 337-6237 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 1-800-955-8770 via Florida Relay Service.**