

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 13-24286-Civ-Brannon

FREDDY CONTRERAS, on behalf of
WHITNEY CONTRERAS,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

ORDER SETTING BENCH TRIAL BEFORE MAGISTRATE JUDGE
AND AMENDED PRETRIAL SCHEDULING ORDER

THIS CAUSE is before the Court by Order (DE 37) referring this case to the undersigned for all further proceedings. Accordingly, the Court ORDERS the following:

1. Trial: This case is **reset for a two-day bench trial before U.S. Magistrate Judge Dave Lee Brannon, commencing at 9:30 a.m. on Thursday, April 9, 2015, at U.S. District Court, 701 Clematis Street, Fourth Floor, Courtroom 3, West Palm Beach, Florida.**

A Status Conference will be held at 1:30 p.m. on Wednesday, April 1, 2015. ALL COUNSEL MUST BE PRESENT.

2. Pretrial Conference: No pretrial conference shall be held in this action, unless the parties so request or the Court determines, sua sponte, that a pretrial conference is necessary. Should a pretrial conference be set, the deadlines set forth in this Order shall remain unaltered.

3. Proposed Findings of Fact and Conclusions of Law: At least ONE WEEK prior to trial, each party shall file proposed Findings of Fact and Conclusions of Law in Word format to: brannon@flsd.uscourts.gov. Proposed Conclusions of Law must be supported by citations to authority.

4. Witness and Exhibit Lists: On the day of the status conference, counsel shall submit to the Court typed lists of proposed witnesses and exhibits. All exhibits must be pre-marked in accordance with the exhibit list. The typewritten exhibit list shall set forth the number, or letter, and description of each exhibit. The exhibit list shall conform to the requirements of Form AO 187, which is available from the Clerk's office.

5. Motions to Continue Trial: A Motion to Continue Trial will not be considered unless it is filed at least 20 days before the trial is scheduled to commence.

6. Pretrial Motions: Any party filing a pretrial motion shall submit a proposed order.

7. Pretrial Schedule: The parties have completed the pretrial schedule previously set by U.S. District Judge Federico Moreno. Any motions to modify this schedule shall be directed to the attention of U.S. Magistrate Judge Dave Lee Brannon.

8. Settlement Conference: Any request to have a settlement conference shall be directed to the chambers of U.S. Magistrate Judge William Matthewman by calling (561) 803-3440 within 30 days of this Order with at least three proposed conference dates. U.S. Magistrate Judge Matthewman will thereafter issue an order setting forth the date, time, place, and procedures for the settlement conference.

9. Notice of Settlement: If the case is settled, counsel shall promptly inform the Court by calling the chambers of U.S. Magistrate Judge Dave Lee Brannon at (561) 803-3470 and, within 10 days of notification of settlement to the Court, submit an appropriate Motion and proposed order for dismissal, pursuant to Fed. R. Civ. P. 41(a). The parties shall attend all hearings and abide by all time requirements unless and until an order of dismissal is filed.

10. Non-compliance With This Order: Non-compliance with any provision of this Order may subject the offending party to sanctions or dismissal. It is the duty of all counsel to enforce the timetable set forth herein in order to ensure an expeditious resolution of this cause.

DONE AND ORDERED in Chambers at West Palm Beach in the Southern District of Florida, this 11th day of September, 2014.



DAVE LEE BRANNON
U.S. MAGISTRATE JUDGE