

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT,
IN AND FOR MARION COUNTY, FLORIDA

JANE DOE, on behalf of herself
and others similarly situated,

CASE NO.: 2022-CA-1627

Plaintiff,

vs.

CHARLES WILLIAM FIGEL,

Defendant.

**SECOND ORDER SETTING CASE FOR PRETRIAL CONFERENCE
AND JURY TRIAL**

Pursuant to Court's Order Continuing Trial, entered on July 2, 2026, it is

ORDERED and ADJUDGED as follows:

TRIAL DATE. This case is set for a Jury Trial during the one-week trial docket beginning **December 14, 2026, at 8:30 a.m.**, in Courtroom 3D, at the Marion County Judicial Center, 110 NW 1st Avenue, Ocala, Florida 34475. Length of time estimated for trial is 3 days.

PRETRIAL CONFERENCE. Lead Trial Counsel and pro se (self-represented) parties shall attend a Pretrial Conference on **October 8, 2026, at 11:00 a.m.**, in Courtroom 3D, in person or via Zoom (Zoom information below). No telephonic appearances are permitted. At the Pretrial Conference, the Court, in its discretion, may dispose of any pending motions or requests for preliminary rulings, or may defer ruling if the Court believes that additional briefing under the motion practice procedure is necessary.

<https://zoom.us/j/6992333913?pwd=bIRXSWWhCSVREbkIFalNnc2tLYjNIZz09&omn=92509462916>

Meeting ID: 699 233 3913

Passcode: 654321

No less than **15 days prior to the Pretrial Conference**, lead counsel and any pro se parties shall:

1. Discuss and attempt to settle the case.
2. Produce all documents to be offered at trial. Exhibits must be Bates stamped in any case in which more than 100 exhibits are involved.

3. Examine and initial every exhibit to be produced by the opposing side(s) at trial. The Parties shall agree on those exhibits which will be admitted as joint exhibits and those which can be admitted without objection. The parties shall then identify all other exhibits and specify any objections thereto. "Exhibit Schedules" shall then be prepared reflecting these separate categories of exhibits for each Party. The Exhibit Schedules for each party shall be attached to the Joint Pretrial Statement described below. OBJECTIONS NOT NOTED ARE WAIVED.
4. Review opposing parties' witness lists. Witness lists for each Party shall be attached to the Joint Pretrial Statement described below.
5. Discuss and stipulate to any facts requiring no proof at trial.
6. Discuss, clarify and frame all factual issues of fact to be tried.
7. Identify all legal, procedural or evidentiary issues to be decided prior to or during trial.
8. Discuss any evidentiary stipulations.
9. Agree upon and draft a concise statement of the case to be read by the Court at the beginning of voir dire.
10. Discuss the proposed jury instructions and verdict forms.
11. Discuss and attempt to agree upon any other matters leading to a more orderly and expeditious trial.
12. Discuss and exchange all demonstrative aids.

JOINT PRETRIAL STATEMENT. A Joint Pretrial Statement addressing the matters described below shall be prepared, filed and served no less than **5 business days before the Pretrial Conference**, with a copy emailed to the judge. If the parties are unable to agree on the contents of the Joint Pretrial Statement, the differing views should be set forth therein.

The Joint Pretrial Statement shall contain the following:

1. A statement of the case to be read to the jury at the beginning of voir dire.
2. A statement of admitted facts which may be read at trial as a stipulation of counsel.
3. Issues of fact to be tried.
4. Unresolved issues of law, procedure or evidence.
5. Each party's witness list.
6. Each party's schedule of exhibits with objections.
7. Any stipulation on evidentiary matters specifying the applicable matters to which such stipulation applies, i.e. authenticity, hearsay exceptions, etc.
8. The number of peremptory challenges.

9. Estimate of the number of jurors requested for the venire panel.
10. A current estimate of the number of days required for trial.
11. The specific category of damages, including attorneys' fees, claimed by each party and, when possible, the amount of such damages sought by each party.
12. A list of all outstanding motions and date/time of any hearing thereon.
13. Identify with specificity, any matters of which the parties will ask the Court to take Judicial Notice under Fla. Stat. 90.201 and 90.202, and notate any objections or agreement thereto by opposing counsel.

EXPERT WITNESSES; DISCLOSURE; DEADLINES; TESTS, EXAMINATIONS AND EXPERIMENTS.

1. No less than **120 days before the Pretrial Conference**, Plaintiff(s) shall disclose the expert witnesses (including treating experts) that in good faith, Plaintiff(s) actually intends to testify at trial.
2. No less than **90 days before the Pretrial Conference**, Defendant(s) shall disclose the expert witnesses that in good faith, Defendant(s) actually intends to testify at trial.
3. As used herein, "disclose" means furnishing in writing (i) the expert's name, business address and telephone number, (ii) his or her curriculum vitae or qualifications, (iii) his or her medical specialty or field of expertise, (iv) a statement of the specific subjects upon which the expert will testify and offer opinions and (v) the party or parties against whom the expert will be called to testify. Any changes in an expert's opinion or changes in the basis of the expert's opinion must be disclosed to all parties no less than 60 days prior to the Pretrial Conference.
4. All out-of-court testing, experiments or physical or mental examinations by experts must be completed prior to the expert's deposition.

EXCHANGE OF WITNESS LISTS AND EVIDENCE SCHEDULES. No less than **60 days before the Pretrial Conference**, attorneys and pro se parties shall serve the following:

1. A list of all witnesses including potential impeachment and rebuttal witnesses who may testify at trial. The list shall provide the name, address and telephone number of the witness and shall specify whether the witness is a liability, damage, rebuttal or impeachment witness.
2. A schedule of all exhibits, including depositions, a party may offer at trial, lettered sequentially. Exhibits shall be described with specificity. For example, "all medical records" is insufficient.

DEPOSITION DESIGNATIONS. No less than **30 days prior to the Pretrial Conference**, each party shall serve designations of the depositions it intends to offer at trial. No less than **20 days prior to the Pretrial Conference**, the parties shall serve

counter designations. Disputes over deposition designations must be heard by the Court before the first day of Trial. If the parties cannot resolve disputes over deposition designations, and no hearing time can be coordinated, the parties shall submit a properly marked copy of the transcript and a proposed order identifying the page and line of objections that must be ruled on by the Court.

DISCOVERY DEADLINE. Discovery closes **10 days prior to the Pretrial Conference** unless extended by Court order for good cause shown. All depositions and IME reports must be completed; answers to interrogatories, responses to request to produce and responses to requests for admissions must be served by this date. Joint Stipulations to extend discovery without Court order do not alter the discovery cut-off.

MOTION DEADLINE.

1. All motions, including Daubert motions, other than motions in limine, must be **FILED AND HEARD** at least **30 days prior to the Pretrial Conference**. Untimely motions are subject to summary denial.

2. Motions in limine must be filed no less than **15 days prior to the trial term** and must be scheduled for hearing before the beginning of the trial term. No motions in limine will be heard during the trial period, absent good cause.

3. No Motions may be scheduled for hearing unless they contain a certification of good faith attempt to resolve the matter at issue.

JURY INSTRUCTIONS. Proposed jury instructions, verdict form(s) and statement of the case to be read to the jury shall be submitted to the Court in Word format to swaldron@circuit5.org **5 days prior to the beginning of the trial** or on the date ordered at the pretrial conference.

TRIAL MEMORANDUM. Following Pretrial Conference, the Court will issue a Memorandum setting forth the priority of trials. It shall be the responsibility of the attorneys to determine the disposition of the cases as scheduled on the Memorandum and to be present for trial at any time during the scheduled trial term of the Court.

EXHIBITS. All exhibits shall be pre-marked prior to the start of trial. Counsel shall contact the Clerk of the Court's office at 352-671-5510, or at civildepartment@marioncountyclerk.org to make arrangements for a court clerk to mark exhibits.

EQUIPMENT. The Circuit website, www.circuit5.org, contains information regarding IT resources available in the courtrooms. Click on the "Services" tab, then "Court Technology".

NOTIFICATION OF SETTLEMENT. The parties shall immediately notify the judicial assistant of a settlement by email at swaldron@circuit5.org followed within 5 business days by a filed Notice of Settlement signed by all parties. Noncompliance with this paragraph will result in the case remaining on the docket as well as the possible

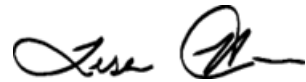
imposition of other sanctions. The case will not be removed from the Pretrial docket until the Notice of Settlement is filed with the Clerk.

MODIFICATION OF ORDER FOR GOOD CAUSE. The provisions of this Order may be modified only by Court order in accordance with applicable law.

SANCTIONS. Failure to meet prior to pretrial conference as required above, failure to attend the pretrial conference or trial, or to otherwise strictly comply with the requirements of this Order may result in the imposition of appropriate sanctions, including but not limited to, contempt, dismissal, default, striking of pleadings, exclusion of evidence, assessment of fees or costs.

FAMILIARITY WITH THIS ORDER. Counsel and pro se (self-represented) parties shall read this order, be familiar with its contents and comply with its requirements. FAILURE TO COMPLY WITH ALL REQUIREMENTS OF THIS ORDER MAY RESULT IN THE IMPOSITION OF SANCTIONS.

DONE AND ORDERED in Ocala, Marion County, Florida, on July 1, 2026.



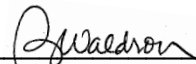
LISA HERNDON
CIRCUIT COURT JUDGE

CERTIFICATE OF SERVICE

I CERTIFY that a true copy hereof was filed with the Florida Courts e-portal, which will provide a copy to the parties listed for service therein, on July 1, 2026.

Paul S. Rothstein, Esq.
Attorney for Plaintiff

Defendant
Address unknown



Judicial Assistant