

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF FLORIDA  
Miami Division

**Case Number: 09-22090-CIV-MORENO**

RUBY TURNER,

Plaintiff,

vs.

THE DISTRICT BOARD OF TRUSTEES OF  
MIAMI DADE COLLEGE formerly known as  
MIAMI DADE COMMUNITY COLLEGE,

Defendant.

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**ORDER OF CONTINUANCE AND ORDER REVISING PRETRIAL DEADLINES**

THIS CAUSE came before the Court upon a *sua sponte* review of the record.

THE COURT has considered the pertinent portions of the record, and being otherwise fully advised in the premises, it is

**ADJUDGED** that for good cause, the trial is continued as follows.

(1) **TRIAL DATE** - The trial is **CONTINUED** from the two-week period of **June 7, 2010**, to the two-week period of **November 8, 2010**, in Miami, Florida.

(2) **CALENDAR CALL** - Counsel must appear at Calendar Call which shall take place before the undersigned at the Wilkie D. Ferguson Federal Courthouse, 400 North Miami Avenue, Courtroom 13-3, Miami, Florida 33128, on **Tuesday, November 2, 2010, at 2:00 P.M.** The parties need not appear at Calendar Call. At Calendar Call counsel may bring all matters relating to the scheduled trial date to the attention of the Court.

(3) **PLAINTIFF'S WITNESS AND EXHIBIT LISTS** - Plaintiff shall provide Defendant, by either fax or hand delivery, a copy of Plaintiff's Witness List and a copy of Plaintiff's Exhibit List no later than **Wednesday, October 20, 2010, at 5:00 P.M.**

(a) **PLAINTIFF'S WITNESS LIST** - Plaintiff's Witness List shall include all the witnesses, both lay and expert, that Plaintiff intends to call at trial. Plaintiff's Witness List shall briefly describe the nature of each witness's testimony and whether such witness will be testifying live or by deposition. Witnesses omitted from the list will not be allowed at trial.

(b) **PLAINTIFF'S EXHIBIT LIST** - Plaintiff's Exhibit List shall include all the exhibits that Plaintiff intends to use at trial. Plaintiff's Exhibit List shall in consecutively numbered paragraphs adequately describe the nature of each document listed. The actual exhibits shall be pre-marked with corresponding numbers (*e.g.* Plaintiff's Exhibit #1, P.E. #2, P.E. #3...) which numbers they will retain through the end of trial. The exhibit list shall refer to specific items and shall not include blanket statements such as *all exhibits produced during depositions* or *Plaintiff reserves the use of any other relevant evidence*. Exhibits omitted from the list will not be allowed at trial.

(4) **DEFENDANT'S WITNESS AND EXHIBIT LISTS** - Defendant shall provide Plaintiff, by either fax or hand delivery, a copy of Defendant's Witness List and a copy of Defendant's Exhibit List no later than **Friday, October 22, 2010, at 5:00 P.M.**

(a) **DEFENDANT'S WITNESS LIST** - Defendant's Witness List shall include only those additional lay and expert witnesses not included on Plaintiff's Witness List. Witnesses listed by Plaintiff will be available for both parties and should not be re-listed on Defendant's Witness List. Defendant's Witness List shall briefly describe the nature of each additional witness's testimony and whether such witnesses will be testifying live or by deposition. Witnesses omitted from Defendant's Witness List and not listed on Plaintiff's Witness List will not be allowed at trial.

(b) **DEFENDANT'S EXHIBIT LIST** - Defendant's Exhibit List shall include only those additional exhibits that Defendant wishes to introduce at trial which are not on Plaintiff's Exhibit List. Defendant's Exhibit List shall in consecutively numbered paragraphs adequately describe the nature of each document listed. The actual exhibits shall be pre-marked with corresponding numbers (*e.g.* Defendant's Exhibit #1, D.E. #2, D.E. #3...) which numbers they will retain through the end of trial. The exhibit list shall refer to specific items and shall not include blanket statements such as *all exhibits produced during depositions* or *Plaintiff reserves the use of any other relevant evidence*. Exhibits omitted from Defendant's Exhibit List and not listed on Plaintiff's Exhibit List will not be allowed at trial.

(5) **PRETRIAL STIPULATION** - Pursuant to S.D. Fla. L.R. 16.1.E., the parties shall file a Pretrial Stipulation no later than **Tuesday, October 19, 2010**. The Pretrial Stipulation shall conform to the requirements of S.D. Fla. L.R. 16.1.E. The parties shall attach to the Pretrial Stipulation copies of the witness and exhibit lists along with any objections as allowed for under S.D. Fla. L.R. 16.1.E.9.

(6) **PREVIOUS SCHEDULING ORDERS** - This Order shall supercede only the inconsistent provisions of previous Scheduling Orders.

DONE AND ORDERED in Chambers at Miami, Florida, this 12<sup>th</sup> day of May, 2010.

  
FEDERICO A. MORENO  
CHIEF UNITED STATES DISTRICT JUDGE

Copies provided to:  
Counsel of Record