

IN THE COUNTY COURT OF THE
NINTH JUDICIAL CIRCUIT, IN AND
FOR ORANGE COUNTY, FLORIDA

_____, INC.,
a/a/o _____,
Plaintiff

CASE NO. 200____-SC-_____

v.

Division 73

INSURANCE COMPANY,
Defendant
_____ /

ORDER REGARDING DISCOVERY MOTION

IN REGARD TO THE MOTION _____
the following findings are entered;

1. Counsel for both parties are directed to the court's website www.ninthcircuit.org. Under the section Rules and Policies is a copy of the Discovery Handbook which has been adopted by the Conferences of County and Circuit Court Judges of Florida. This Handbook states that a cost award shall generally be entered against the party whose conduct necessitated the discovery hearing:

“The Rule contemplates that the court should award expenses in the majority of cases. The courts should take a consistent hard line to ensure compliance with the rule. Counsel should be forced to work together in good faith to avoid the need for motion practice.... Generally, where a party fails to respond to discovery and does not give sound reason for its failure to do so, sanctions should be imposed,” Handbook, p. 2.

2. Counsel must attempt to resolve the discovery issues prior to obtaining a court hearing. Counsel are directed to read and comply with the pertinent sections of the Discovery Handbook.

3. If best efforts to schedule discovery according to the spirit and the letter of the Rules and Handbook still fail, counsel shall file a Good Faith certificate attesting to what good faith efforts have been attempted, and hearing time will be granted. Once the Good Faith certificate has been filed however, both parties should be aware that sanctions are contemplated by the Rule and by the persuasive authority of the Discovery Handbook.

DONE AND ORDERED this ____ day of _____, 2009 at Orlando,
Orange County, Florida.

DEB SAMMONS BLECHMAN
Orange County Judge

I HEREBY CERTIFY that a true copy of the foregoing was furnished this ____ day of
_____, 2009 to: _____, Esq., _____
_____; and to _____

_____.

Judy Ball, Judicial Assistant