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THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR LEE COUNTY, FLORIDA
CIVIL ACTION

Wells Fargo Bank, N.A., as Trustee for
Soundview Home Loan Trust 2007-OPT1,
Asset-Backed Certificates, Series 2007-OPT 1,

Plaintiff

VS.

CASE NO.: 10-CA-056503

Velton Corbett and Lisa Corbett, et al,

Defendants.

**ORDER SETTING CASE FOR DOCKET SOUNDING
AND ORDER OF REFERRAL TO GENERAL MAGISTRATE
(Magistrate Amy Hawthorne)**

THE COURT ON ITS OWN MOTION DETERMINES THIS CAUSE IS AT ISSUE AND READY TO BE SET FOR TRIAL.

ORDERED AND ADJUDGED

1. Docket Sounding.

The Court has set a docket sounding before Magistrate Amy Hawthorne on December 8th, 2010 at 1:00 p.m. in Courtroom 5-1, Lee County Justice Center, 1700 Monroe Street, Fort Myers, FL 33901, or as soon thereafter as may be heard.

If this case is appropriate for a Motion for Summary Judgment, either party may Notice the Summary Judgment to be heard at the Docket Sounding. Otherwise, the day and time certain for the start of trial will be determined at docket sounding. The parties will receive at least 30 days advance notice of the trial date. A motion to continue can be heard by the Court at docket sounding. No other motions will be heard. All trial attorneys are to be present for docket sounding. **If trial attorneys are not available for the Docket Sounding, an attorney with full authority to make binding decisions must be present.** Any request for continuance of Docket sounding must be made timely, by motion, and set for hearing at a time prior to the scheduled date of the Docket Sounding. Failure of an attorney or pro-se litigant to attend the Docket Sounding will subject the attorney and/or litigant to sanction as outlined in paragraph 13, as well as potentially having the case set for trial.

2. Exchange of Expert & Lay Witnesses. If a trial date is set at docket sounding, counsel for the plaintiff shall submit to opposing counsel the names and addresses of **all** plaintiff(s) witnesses within 5 days following the date of the docket sounding. Within 10 days following the date of the docket sounding, the defense counsel shall submit to opposing counsel the names and addresses of **all** defense witnesses. The witness list shall contain a plain and concise statement regarding the subject matter of the witnesses testimony. No party shall be permitted to call any witness not so disclosed, without prior permission of the Court, or written stipulation executed by all parties.

3. Meeting before Trial. The attorneys for all parties, or the party themselves if they are representing themselves (pro se), are directed to meet together by agreement, initiated by counsel for the plaintiff, no later than 7 days before the trial to:

- a. Mark all exhibits for identification and prepare a chronological exhibit list for use by clerk and the Court at trial (actual exhibits and documentation evidence shall be

available for inspection at this time). Any exhibits not so marked will not be admissible absent a stipulation of all parties.

- b. Agree to admit or not admit evidence and list specific objections, if any.
 - c. Stipulate as to any matter of fact and law about which there is no issue to avoid unnecessary proof, i.e., chain of custody or records custodian.
 - d. Review all depositions which are to be offered for any purpose other than impeachment to resolve objections to the portions to be offered in evidence.
 - e. Discuss the possibility of settlement.
 - f. Submit an itemized statement of special damages plaintiff expects to prove.
 - g. Discuss and complete any other matters which may simplify the issues or aid in the speedy disposition of this action.
4. Motions. All **motions in limine**, shall be in writing, filed and served prior to trial. They will be heard the morning of the first day of trial.
 5. Discovery. All discovery shall be completed prior to the docket sounding. The conduct of discovery subsequent to the docket sounding shall be permitted only on the order of the Court for good cause shown and which will not delay the trial of this cause.
 6. If counsel desires that a proceeding be reported by a court reporter, it is the responsibility of counsel to secure said services.
 7. Representation and Authority. That in order for the full purpose of the pre-trial procedures to be accomplished, each party shall be represented at all meetings and hearings required herein by an attorney, unless they represent themselves (pro se), who will participate in the trial of the cause and who is vested with full authority to make admissions and disclosure of facts, and to bind the clients by agreement in respect to all matters pertaining to the trial of the cause. If a party is pro se they are mandated to be at all meetings and hearings required under this Order.
 8. Exhibits. All composite exhibits shall be satisfactorily bound to avoid the loss and disintegration of component parts of pages before presentation to the Court. Exhibits to be introduced which are larger than an 8 ½ x 11" sheet of paper may be used at trial, but if practicable, same shall be reduced to 8 ½ x 11", and the reduced size copy shall be the exhibit retained by the clerk in the court file. The oversized exhibits so reduced shall be returned to counsel, or the pro se litigant, at the close of the trial.
 9. Witnesses. The parties shall assure the availability of their witnesses for the trial or to otherwise preserve their testimony for trial as provided by the Florida Rules of Civil Procedure. The Court is not inclined to allow a witness to testify "out of order", over objection, or to take a recess or adjust its schedule for the convenience of such a witness.
 10. Motions and Stipulations for Continuances. This Court adheres strictly to Rule of Judicial Administration 2.545(e) and Rule of Civil Procedure 1.460. Accordingly, motions for continuance and stipulations must be in writing and set forth:
 - a. The signature of the party as well as the attorney.
 - b. A concise statement of the reasons for a continuance. If based on non-availability of a witness, a showing of when it is believed the witness will be available must be stated.

Any stipulation must be approved by the Court and must be heard at least ten (10) days prior to the date of trial, unless otherwise permitted by the Court. No motion will be heard that is not in compliance with this order.

11. Settlement. Counsel, or the pro se litigant, shall immediately notify this Court in the event of settlement and submit a stipulation for an order of dismissal and a final disposition form.

12. Notice. Please review this order to see that it was sent to all proper persons at proper addresses.

13. Sanctions. Failure to comply with the requirements of this Order may subject the party and/or attorney to appropriate sanctions, including the award of attorneys' fees, fines, striking of pleadings, and/or dismissal of the case.

ORDER OF REFERRAL TO GENERAL MAGISTRATE

THIS CAUSE came on before the court upon the court's own motion and the Court, having been duly advised in the premises, it is now

ORDERED:

That this cause is referred to **Amy Hawthorne**, General Magistrate, Civil Division, Twentieth Judicial Circuit for further proceedings, pursuant to Rule 1.490 of the Florida Rules of Civil Procedure and current administrative orders of the Court. Any party wishing to object to the referral to the Magistrate must file a timely objection no later than the date of the scheduled hearing. Failure to timely object shall constitute a waiver of objection and consent to proceed in accordance with the provisions of this Order.

The General Magistrate shall hold such hearings as deemed necessary and shall file, as soon as practicable, a Report, together with a recommended order, of General Magistrate.

If required by the General Magistrate, the attorneys shall prepare a Recommended Order of General Magistrate. Failure to submit said Recommended Order of General Magistrate in a timely manner may result in sanctions being imposed by the Circuit Court Judge.

This case is referred to the General Magistrate for consideration and hearing on the following:

NON-JURY TRIAL ON COMPLAINT TO FORECLOSURE MORTGAGE AND MOTION FOR SUMMARY JUDGMENT, IF FILED IN THIS CASE. ALL MOTIONS, RESPONSES, AND ANY OTHER MATTER IN THIS CASE ARE NOW BEING REFERRED TO THE MAGISTRATE.

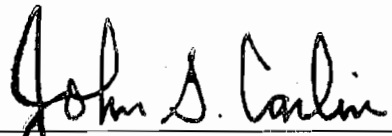
(As indicated in the ORDER SETTING CASE FOR DOCKET SOUNDING, if this case is appropriate for a Motion for Summary Judgment, either party may Notice the Summary Judgment to be heard at the Docket Sounding. A separate Order of Referral shall not be required on the Motion for Summary Judgment since this and all matters in this case are being referred to the General Magistrate at this time)

IT IS FURTHER ORDERED and noted that the above matter(s) and responses are specifically referred to the General Magistrate for further proceedings, pursuant to Rule 1.490 of the Florida Rules of Civil Procedure and current administrative orders of the court. The General Magistrate is authorized to administer oaths and conduct hearings which may include taking of evidence and shall file a Report containing findings of fact and conclusions of law, together with the recommended order as to a ruling by the Court, and shall serve copies of the Report on all parties.

A time and place shall be assigned for the proceedings as soon as is reasonably possible after this referral is made and notice shall be given to each of the parties either by the General Magistrate or one or more of the parties.

Review of the Report made by the General Magistrate shall be by exceptions filed within ten (10) days of service of the Report of the Magistrate as provided in Rule 1.490(h), Florida Rules of Civil Procedure. If no exceptions are filed within that period, the Court shall take appropriate action on the report. If exceptions are filed, they shall be heard on reasonable notice by either party. For the purpose of the hearing on exceptions, a record to support the exceptions, including a transcript of all relevant proceedings if necessary for the court's review, shall be provided to the Court by the party seeking review. Except as otherwise allowed by the Court, the party seeking review shall deliver the transcript of all relevant proceedings necessary for the Court's review to the judge and provide copies to all parties within twenty (20) days of the filing of exceptions or the exceptions may be denied. All parties are advised that in this Circuit electronic recording is not provided by the court. A party may provide a court reporter at that party's expense.

DONE AND ORDERED in Lee County, Florida this 4th day of October, 2010.


Circuit Court Judge

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Ken Kellum, Court Operations Manager, whose office is located at the Lee County Justice Center, 1700 Monroe Street, Fort Myers, FL 33901, and whose telephone number is 239-533-1700, 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 711.

CERTIFICATE OF SERVICE


I certify that a copy of this document was mailed to the attorneys of record at their designated mailing addresses, on this 6th day of October, 2010.

Service List:

SHAPIRO & FISHMAN, LLP
Attorneys for Plaintiff
4630 WOODLAND CORPORATE BLVD., SUITE 100
TAMPA, FL 33614

STOPA LAW FIRM
Attorneys for Velton and Lisa Corbett
2202 N. WESTSHORE BLVD., SUITE 200
TAMPA, FL 33607

UNKNOWN TENANT (S)
4691 DUERA MAE DRIVE
FORT MYERS, FL 33908


Intake Specialist I