

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

ANDREW C. MALETTA,

Plaintiff,

v.

Case No: 2:20-cv-1004-JES-KCD

DAVID WOODLE AND FREDERICK
J. LANGDON,

Defendants.

FINAL PRETRIAL CONFERENCE ORDER

The Court held a final pretrial conference with counsel for all parties on October 28, 2022. The following shall govern the case:

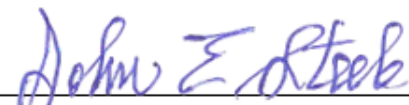
1. Trial term will be **February 2023**. A separate notice of trial will be filed by the Clerk of the Court. The parties anticipate that the jury trial in this case will take four to five trial days.
2. The parties have submitted individual Final Pre-Trial Statements (Docs. #91, 107.) While these are similar, the Court will direct that the parties file a joint Final Pretrial Statement on or before **January 20, 2023**.
3. Plaintiff's Exhibit List (Doc. #92) was filed on October 14, 2022.

4. Defendants shall file their Exhibit List on or before **November 30, 2022**. Failure to file such an exhibit list will preclude defendants from offering any exhibits.
5. Plaintiff's Witness List (Doc. #93) was filed on October 14, 2022. Defendant's objections to witnesses Tom Ledin and Rick Williams are overruled.
6. Defendants shall file a witness list on or before **November 30, 2022**. Failure to file such a witness list will preclude defendants from calling witnesses.
7. Any additional proposed voir dire questions or proposed jury instructions should be filed on or before **November 30, 2022**.
8. Plaintiff's Motion in Limine (Doc. #98) is **GRANTED** to the extent that defendants may not offer the post-defamation affidavits of potential witnesses who do not appear at trial without prior permission of the Court obtained outside the presence of the jury. The motion is **DENIED** to the extent it seeks to preclude defendants or defense witness from referring to declarations other than ones they personally executed. While counsel should object to any such testimony as counsel deems appropriate, the Court is unable to formulate a pre-trial ruling given the variety of circumstances which may be involved.

9. Plaintiff's Second Motion for Sanctions Due to Failure to
Comply With Case Management Order (Doc. #99) filed on
October 14, 2022, is **DENIED**.

IT IS SO ORDERED.

DONE and ORDERED at Fort Myers, Florida, this 31st day of
October, 2022.



JOHN E. STEELE
SENIOR UNITED STATES DISTRICT JUDGE

Copies:
Counsel of Record