

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 24-cv-21983-JB

CUBANOS PALANTE, *et al.*,

Plaintiffs,

v.

THREE-JUDGE COURT

FLORIDA HOUSE OF REPRESENTATIVES, *et al.*,

Defendants.

ORDER PROVIDING INSTRUCTIONS FOR BENCH TRIAL

THIS CAUSE is set for a bench trial beginning on **January 12, 2026**. Counsel for all parties shall also appear at a calendar call at **10:00 a.m. on January 5, 2026**. See ECF No. [98]. The calendar call will be conducted via Zoom videoconference, via the link provided herein. The trial and all other proceedings in this case shall be conducted in Courtroom 13-3, 13th Floor, at the Wilkie D. Ferguson, Jr. United States Courthouse, 400 North Miami Avenue, Miami, Florida 33128.

In preparation for the bench trial, it is hereby **ORDERED AND ADJUDGED** that the following remaining deadlines and pretrial procedures shall apply:

I. TRIAL AND PRETRIAL DEADLINES¹

12/12/2025 The parties shall submit any joint pre-trial stipulations and their proposed findings of fact and conclusions of law. **No motions *in limine* or *Daubert* motions are permitted, given that this matter is set for a bench trial.**

¹ The Court notes that the deadline for pretrial motions and memoranda of law set forth in the initial Scheduling Order, [ECF No. 98], has been omitted.

- 12/15/2025 The parties shall supplement their witness lists, [ECF Nos. 150, 151]. In addition to indicating each witness who will testify at trial, the parties shall include a one sentence synopsis of the testimony, and, in consultation with opposing counsel, the amount of time needed for direct and cross examination.
- 12/22/2025 Pretrial briefs must be filed, and the parties shall supplement their deposition designations, [ECF Nos. 150, 152], pursuant to the instructions set forth below. The parties may include in their pretrial briefs any evidentiary issues that require the Court's attention before trial.
- 1/5/2026 Calendar call via Zoom videoconference, which can be accessed at www.zoomgov.com/j/1604308760?pwd=1LP3aF5KLYXCKI0WE0oSg7E4t9pGkn.1. The Meeting ID is 160 430 8760, and the Passcode is 238587.
- 1/12/2026 Trial begins. There will be no opening statements. The trial will begin with the presentation of testimony. Each side will be allowed one hour for closing arguments.

II. EVIDENTIARY MATTERS

In preparation for the bench trial scheduled to commence on **January 12, 2026**, counsel shall confer and prepare an Exhibit Notebook, consisting of three (3) divisions. The first division shall contain the parties' joint exhibits; the second division shall contain Plaintiffs' exhibits; and the third division shall contain Defendants' exhibits. Each division shall be clearly and adequately designated (tabbed) and each exhibit appropriately labeled. The first page after each tab shall be a face page identifying the exhibit by number and type (i.e., Joint, Plaintiffs', or Defendants'). Those exhibits which are joint shall not be repeated in the second or third divisions of the notebook. Plaintiffs' exhibits must be marked numerically with the letter "P" as a prefix; the Defendants' exhibits must be marked numerically with

the letter “D” as a prefix. The Exhibit Notebook shall also include an exhibit index containing a brief description of each exhibit. The parties shall include in the Notebook only those exhibits that are considered absolutely necessary. The failure to include any particular exhibit in the Notebook, however, shall not preclude admission of any exhibit that was properly listed on the party’s pretrial exhibit list.

At the Calendar Call on January 5, 2026, the parties shall submit to the Court the index of the exhibits in the Exhibit Notebook. The index must be prepared on Form AO 187, with objections to exhibits indicated. Counsel shall each have a copy of the Exhibit Notebook and shall provide a copy to the Court on the day of trial. To the extent possible, the Court will rule on all objections at that time.

Following the Court’s rulings on objections to exhibits, counsel shall revise the Exhibit Notebook (including the Court’s and each counsel’s copy) in accordance with the Court’s rulings. The revised Exhibit Notebook shall contain only those Exhibits to which there is no objection.

III. INSTRUCTIONS REGARDING THE USE OF DEPOSITIONS AT TRIAL

If deposition transcripts will be used at trial, the parties shall comply with the following guidelines:

The parties shall prepare and JOINTLY FILE one transcript for each deposition to be used during trial. The parties shall edit the transcript, using a mini-transcript when available, to remove all irrelevant, extraneous and unnecessary pages. Each portion of the testimony designated shall be bracketed to indicate beginning and end. A notice of filing setting forth each party’s designated testimony

by line and page, and setting forth all objections, shall be filed with the transcript. In addition to listing objections in the notice of filing, the objections shall also be indicated in the margin of the transcript. The parties may either write their objections in the margins, or use logical abbreviations that will be apparent to the Court and other parties (for example "H" for hearsay). If the parties use abbreviations, the notice of filing must include a key for the Court's reference.

A courtesy copy of the notice and transcript shall be delivered to chambers at the time of filing. Each party shall mark the courtesy copy of the transcript with a different color ink or highlighter to identify its designated portions of the transcript.

IV. MISCELLANEOUS INSTRUCTIONS

If the case is settled, counsel shall inform the Court promptly by calling the Judge's Chambers and submit an appropriate order for dismissal with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1). The proposed order SHALL be filed no later than **five (5) days** after notice of settlement is given to the Court. In any event, the deadline for submitting any notice of settlement is noon the day before trial, to give the Court sufficient time to make changes to the trial calendar.


In order to facilitate the accurate transcription of the trial proceeding by the court reporter, no later than **five (5) days** prior to the scheduled trial period the parties shall file copies of: (1) the witness and exhibit lists, and (2) a designation of unique proper nouns/names which may be raised at trial. Furthermore, no later than **five (5) days** prior to the scheduled trial period they shall deliver to the court

reporter digital copies of all exhibits to be used at trial. If any of the parties plan to request real-time, expedited, or daily transcripts of any or all days of the proceedings, they must do so no later than **fourteen (14) days** prior to the scheduled trial period by emailing Vernita Allen-Williams at vernita_allen-williams@flsd.uscourts.gov.

Non-compliance with any provision of this Order may subject the offending party to sanctions or dismissal.

All dates established by prior Court Order remain in effect, except that, to the extent any of the provisions of this Order conflict with a prior Court Order, this Order controls.

DONE AND ORDERED this 1st day of December, 2025.



BRITT C. GRANT
UNITED STATES CIRCUIT JUDGE



RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE



JACQUELINE BECERRA
UNITED STATES DISTRICT JUDGE