

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

Plaintiff

vs.

Defendant

Case No.:

**NOTICE TO APPEAR FOR
VIRTUAL PRETRIAL
CONFERENCE/MEDIATION**

STATE OF FLORIDA -NOTICE TO PLAINTIFF (S) AND DEFENDANT (S)

YOU ARE HEREBY NOTIFIED that this case may be eligible to participate in Online Dispute Resolution as a way to resolve this matter. Should you wish to participate you **must** have an email address on file with the Clerk of Court. Email: ODR@ocnjcc.org, no later than 14 days prior to the Pre-Trial Conference for instructions.

IF YOU DO NOT PARTICIPATE IN ONLINE DISPUTE RESOLUTION OR YOU DO NOT COME TO A FINAL RESOLUTION, you are required to appear virtually or via telephone (with or without an attorney) VIA MICROSOFT TEAMS (video) or via the phone number below on ___ at ___ for a PRETRIAL CONFERENCE.

MICROSOFT TEAMS INFORMATION

<https://tinyurl.com/y6j3n4af>

Call: 321-430-3303

Conference ID 318 593 134#

IMPORTANT- READ CAREFULLY

**THE CASE WILL NOT BE TRIED AT THE PRETRIAL CONFERENCE
BUT MAY BE MEDIATED AT THAT TIME.**

**NO WITNESSES ARE NECESSARY AT THIS TIME. YOU MUST APPEAR VIRTUALLY OR
BY AN ATTORNEY.**

Defendant(s) must appear virtually in court on the date specified in order to avoid a default judgment. Plaintiff(s) must appear virtually in court on the date specified in order to avoid having the case dismissed for lack of prosecution. A written MOTION or ANSWER to the court by the plaintiff(s) or defendant(s) shall not excuse the appearance of a party or its attorney in the PRETRIAL CONFERENCE/MEDIATION. The date and time of the pretrial conference CANNOT be rescheduled without good cause and prior court approval.

Any business entity recognized under Florida law may be represented at any stage of the trial court proceedings by any principal of the business entity who has legal authority to bind the

business entity or any employee authorized in writing by a principal of the business entity. A principal is defined as being an officer, member, managing member, or partner of the business entity. Written authorization must be brought to the Pretrial Conference.

The purpose of the pretrial conference is to record your appearance, to determine if you admit all or part of the claim, to enable the court to determine the nature of the case, and to set the case for trial if the case cannot be resolved at the pretrial conference. You or your attorney should be prepared to confer with the court and to explain briefly the nature of your dispute, state what efforts have been made to settle the dispute, exhibit any documents necessary to prove the case, state the names and addresses of your witnesses, stipulate to the facts that will require no proof and will expedite the trial, and estimate how long it will take to try the case.

Mediation may take place at the pretrial conference. Whoever appears for a party must have full authority to settle. Failure to have full authority to settle at this pretrial conference may result in the imposition of costs and attorney fees incurred by the opposing party.

If you admit the claim, but desire additional time to pay, you must state the circumstances to the court. The court may or may not approve a payment plan and withhold judgment or execution or levy.

RIGHT TO VENUE: The law gives the person or company who has sued you the right to file suit in any one of several places as listed below. However, if you have been sued in any place other than one of these places, you, as the defendant(s), have the right to request that the case be moved to a proper location or venue. A proper location or venue may be one of the following:

1. Where the contract was entered into;
2. If the suit is on unsecured promissory note, where the note is signed or where the maker resides;
3. If the suit is to recover property or to foreclose a lien, where the property is located;
4. Where the event giving rise to the suit occurred;
5. Where any one or more of the defendant(s) sued resides;
6. Any location agreed to in a contract;
7. In an action for money due, if there is no agreement as to where suit may be filed, where payment is to be made.

If you, as the defendant(s), believe the plaintiff(s) has/have not sued in one of these correct places, you must appear virtually on your court date and orally request a transfer, or you may file a WRITTEN request for transfer, in affidavit form (sworn to under oath) with the court 7 days prior to your first court date and send a copy to the plaintiff(s) or the plaintiff(s) attorney, if any.

If the party serving summons has designated e-mail address(es) for service or is represented by an attorney, you may designate e-mail address(es) for service by you through the Florida E-filing Portal found at <https://www.myflcourtaaccess.com/> For more information about the E-Filing portal, visit <https://www.floridasupremecourt.org/Practice-Procedures/About-E-Filing-Portal#use>

You must keep the Clerk of Court's office notified of your current address, especially if the address for this summons was different from where you were actually served. Future papers in this lawsuit will be served at the address on record at the clerk's office. The failure to update your correct address with the Clerk of Court may result in actions taken against you without your knowledge.

A copy of the Statement of Claim shall be served with this summons.

Dated: _____

Tiffany Moore Russell
Clerk of the Court

By: _____
Deputy Clerk
(SEAL)

REQUESTS FOR ACCOMMODATIONS BY PERSONS WITH DISABILITIES

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 the ADA Coordinator, Human Resources, Orange County Courthouse, 425 N. Orange Avenue, Suite 510, Orlando, Florida, (407) 836-2303, 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.