


IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
IN AND FOR MARTIN COUNTY FLORIDA

Updated September 9, 2021

*****Please note changes to procedures*****

<p><u>Mailing Address & Address for Notices of Hearing(s):</u></p> <p>Martin County Courthouse 100 East Ocean Blvd. Stuart, Florida 34994</p> <p><u>Judicial Assistant:</u> Susanne Butler Email: MCJUDGE3@circuit19.org</p> <p><u>MOTIONS</u></p> <p>Motions (except as noted in paragraph I of pretrial order) will not be heard at the Court's Docket Call</p> <p><u>TELEPHONIC ATTENDANCE IS NOT PERMITTED AT DOCKET CALL -</u> <u>*Except as may be noted on the website due to COVID-19*</u></p> <p>Courtroom A3-1, 3rd Floor – Martin County Courthouse</p>	<p>JURY/NON-JURY TRIAL DOCKET CALL</p> <p>SEPTEMBER 9, 2021 at 9:00 A.M.</p> <p><u>Jury Trial Period:</u> September 20 - 24, 2021 September 27 – October 1, 2021 October 4 – 8, 2021 October 11 – 15, 2021 November 8 – 10, 2021 November 15-24, 2021 December 13-22, 2021 January 3 – 7, 2022 January 24 – 28, 2022 January 31 – February 4, 2022 February 7 – February 11, 2022 <i>Check website for updates Dates Subject to Change.</i></p> <p><u>Non-Jury Trial Period:</u> October 20-21, 2021 November 29 – December 2, 2021 January 2022, date undetermined <i>Check website for updates Dates Subject to Change.</i></p> <p><u>NOTE: Plaintiff's counsel shall provide a proposed Order Setting Jury/Non-Jury Trial to Judge Sweet's office via E-Mail to MCJudge3@Circuit19.org within five business days after docket call (with self-addressed stamped envelopes for parties who have not provided an e-mail address).</u> <u>A form order is provided on our webpage.</u></p> <p>Note: See webpage and monthly calendars for trial weeks. Visit Judge Sweet's webpage at www.circuit19.org</p>	<p><u>CASE TRACKING</u></p> <p>It is your responsibility to track your case position on the Trial Docket.</p> <p><u>Do not call the Judicial Assistant for updates on the Trial Dockets or Trial Dates; all are posted on the website for your convenience. Unless you have received an order to the contrary, or you have been advised by the court/J.A., you must appear when your case is scheduled - even if the case(s) ahead of you advise that it/they are definitely going to trial.</u></p> <p><u>MUTUALLY AGREEABLE TRIAL DATES</u></p> <p>Please check the court's monthly calendars (online) for actual trial weeks. The parties should attempt to discuss mutually agreeable trial dates before attending Docket Call. <u>Counsel should be ready to choose their desired trial dates(s) at Docket Call. (Sample Form Attached to this Docket is for reference only. The cases listed therein ARE NOT scheduled for docket call).</u></p>
<p><u>CASE SETTLEMENT</u></p> <p>If a case settles Plaintiff's Counsel <u>must</u> email a letter advising the court of same prior to the trial date so that the case may be removed from the trial calendar. If you do not email a letter of settlement and you do not appear for the weekly trial calendar call, your case will be dismissed. If your case is dismissed, please advise the Judicial Assistant by email so that she may remove the case from the Trial Docket, simply filing with the Clerk does not remove your case from the Docket Call or Weekly Trial Docket.</p>	<p></p> <p>HAVE YOU COMPLIED WITH THE ORDER SETTING PRETRIAL PROCEDURES?</p> <p>See order for full compliance.</p> <ul style="list-style-type: none"><u>MEDIATION:</u> Completed 10 days prior to Docket Call<u>PRETRIAL MEETING:</u> 7 days prior to Docket Call (face to face)<u>PRETRIAL STATEMENT:</u> Filed with Clerk no later than Docket Call<u>COURT REPORTER:</u> Plaintiff's counsel for Court Reporter<u>EXHIBITS:</u> Marked with Clerk no later than 2 days prior to jury selection<u>DISCOVERY:</u> Completed 5 days prior to Docket Call <p><u>If your case is continued or rolled over to another date for trial and/ or Docket Call this does not extend the cut-off dates set out in the original pretrial order. You must obtain a court order either by stipulation or hearing to extend the cut-off dates as set forth in the pretrial order.</u></p>	

SEPTEMBER 9, 2021, DOCKET CALL (9AM)

THIS CALENDAR IS AS CURRENT AS INFORMATION AVAILABLE

#	CASE NO.	STYLE	ATTORNEYS	# DAYS	FILED NPT
NON-JURY CIVIL TRIALS					
1.					
JURY TRIALS					
*Two (2) – Three (3) Week Jury Trials					
1.	16CA2	Heartwood 4, LLC. vs. William Gassan, as Trustee of the Port Mayaca Family Trust, <i>et al.</i>	Zaden Shapiro Budwick	4	06/14/21
2.	16CA1278	Shimon Wolkowicki v. Brian West v. Yellow Funding Corp., <i>et al.</i>	Whitehead Wright Elder	5	05/27/21
3.	17CA1035	Donna Boone v. Deborah Keidel et al	Knight Bunn	5	08/18/20 Continued from 4.5.21 trial date
4.	17CA1136	David Hatcher v. JW Cheatham et al.	Hunt Marlow Toomey Lurvey	5	04/20/21
5.	18CA760	Kellie Puig v. Progressive Select Ins Co	Wilke Hunt	4	11/06/19 Continued from 5.10.21 trial date
6.	18CA1151	Adrienne Wilson v. Martin County School Board, <i>et al.</i>	Ottaviano Williams	4	05/17/21
7.	19CA1	Cassie Verdecanna v. Lorrain M. Francis <i>et al.</i>	Carter Wilke	5	06/08/21
8.	19CA191	Luckner Williams and Tony Williams v. FCA US LLC and Dixie Bartlett	Scher Anderson/Whitney	3	12/22/20 rolled from 6.17
9.	19CA972	McKesson Medical Surgical Inc. v. National Laboratories LLC	Batta Payne	1	05/24/21
10.	19CA1484	Michael Ball v. Morris Ridgdill, <i>et al.</i>	Bass Short Eberst	4	03/29/21 rolled from 6.17
11.	20CA20	Cleon Berntheizel v. Sarah A. Tigges, <i>et al.</i>	Ponsoldt Reynolds	4-5	Continued from 6.28.21 trial date
12.	20CA352	Albert Bianchi v. Avatar Property & Casualty Ins Co., et al.	Levy Diamond	4	01/22/21 Rolled from 6/17/21
13.	20CA360	Jeffrey Nielson v. William Underwood II, et al.	Stallone Knapp Baca	5	08/17/20
14.	20CA720	James Carey Dix v. Aileen Daum	Zele Alexander	4	10/28/21
15.	21CA109	Susan Amendola v. Martin Memorial Medical Center et al.	Jablonski Taylor	4	05/05/21
16.	17CA252	Francisco Sarria v. Hurricane Marine Manufacturing Inc. <i>et al.</i> N. of Settlement 8.25.21	Boeringer Leon Grazi	2-3	06/07/21
17.	17CA670	Linda Roberts v. Martin County BCC Steve's Roofing Inc. N. of Settlement 8.30.21	Vastola Williams	5	05/28/20

18.	18CA1230	State of Florida, Department of Legal Affairs, et al. v. Riverbend Condominium Assoc., Inc. <i>stricken 8.10 by order, will re-notice when appropriate</i>	Easton Postman	4-5	01/22/21
19.	19CA471	Kristen Schmucker v. Encompass Health Rehabilitation of Martin County LLC et al. <i>Cont. to 1/20/22 at hrg. 9.8.21</i>	Rosenbach Goran	4	06/08/20
20.	19CA521	Johnson Controls v. JB AC & Electrical Inc., et al. <i>N/ Settlement Filed 8.12.21</i>	Maccari Madden Perez	3	06/21/21
21.	19CA860	Joseph Baer v. James Harris et al. <i>N/ Settlement Filed 9.7.21</i>	Bell Masee	5	03/15/21
22.	19CA1178	Joni Dumbleton v. United Property & Casualty Ins. Co. <i>N/ Settlement Filed 6.29.21.</i>	Thomson Slater	3-4	02/03/21
23.	19CA1181	Billings, As Trustee of The Jennifer A Billings Revocable Living Trust Dated 5/22/2007, Jennifer A vs. Oakmont Custom Homes LLC <i>Per Stip. - Order forthcoming (9.2.21)</i>	Brown Wright Choicca Conwell	5	03/31/21
24.	20CA9	Ramona Grant v. Castle Key Insurance Company <i>N/ Settlement Filed 8.31.21.</i>	Gilbert Hunter	3-4	05/27/21
25.	20CA136	Henning Von Stralendorff v. Kristen Bowen et al. <i>M/ Strike granted 8/18. Order entered 8/26.</i>	Balkan Flanagan Lee	3-4	06/02/21
26.	20CA205	Leah Acker vs. Safeco Insurance Co. of Illinois, et al. <i>Per Order of 8.16</i>	Bressler Lurvey Bunn Bernard	4-5	06/04/21
27.	20CA317	Tiwanda Hill v. Gina's Physical Therapy, Inc. <i>Rolled to 1.20.22 docket</i>	Hoskins Moskowitz	4-5	05/14/21
28.	20CA390	Natasha Carosielli vs. First Protective Ins. Co. et al. <i>N/ Settlement Filed 6.21.21.</i>	Castro Medeiros	3	02/02/21
29.	20CA532	Johanna Calvello v. A and B Sunshine Services <i>Notified of Settlement 9.8.21</i>	Russo Tuttle	4	04/22/21
30.	20CA709	Christopher Bania v. South Florida Assets & Operations LLC <i>Continued to 1/20/22 by agreed order</i>	Rotstein Lindberg	3	05/21/21
31.	20CA710	Robert McGrath v. Diane Lamb McAlpin <i>N/ Settlement Filed 9.3.21</i>	Ward Tasker	3	03/31/21
32.	20CA750	Aime Girard v. First Protective Ins Co., et al. <i>V/D Filed 6.15.21</i>	Chambers Gutterman	3	02/23/21
33.	20CA874	Frank D'Andiolella v. ASI Preferred Ins Corp, et al. <i>V/D Filed 4.28.21</i>	Malin Chambers	3	02/23/21
34.	20CA972	Beatrice Fleuriot v. Anchor Property & Casualty Ins. Co. <i>N. of Settlement 8.30.21</i>	Grande Gross	3	06/25/21
35.	20CA1086	Amanda Shimabukuro v. Todd Dripps <i>V/D filed 8.18.21</i>	Bressler Cole	4-5	06/08/21
36.	21CA10	Elizabeth Anderson v. Macleod Properties and John Keller— <i>Continued to 1/20/22 at hrg. on 9/8/21</i>	Mitchell Cosby Pita	4	04/08/21
37.	21CA164	Aida Delgado v. Winn Dixie Stores Inc. <i>Continued by agreed order, will re-notice when appropriate</i>	Rubenstein Studley	4-5	05/19/21

38.	21CA303	Meaghan Dietrich v. Thomas Visentin <i>Per Hrg. of 9.1.21, Cont. to 1.20.22 docket</i>	Lipinski Oge	3-4	06/09/21
39.	21CA424	Jan Smith v. Winn-Dixie Supermarkets Inc. <i>N/Settlement filed 9.8.21</i>	Bressler Mothe	4-5	06/14/21

***Two (2) – Three (3) Week Jury Trials**

Next Docket Call Date: January 20, 2022 at 9:00 am

Sample Form – Jury Trial Week Selection To Be Selected by Counsel

The cases listed below ARE NOT SCHEDULED FOR the 9/9/21 Docket Call

WEEK OF SEPTEMBER 20 – SEPTEMBER 24, 2021 – JURY (WEEK 1 OF 4)

	Case Number	Case Name	Attorneys	Trial Length
#1	2019CA1243	Jennifer Billings vs. Joseph Bank et al.	Howard Brown Hudson	5

WEEK OF SEPTEMBER 27 – OCTOBER 1, 2021 – JURY (WEEK 2 OF 4)

This week is available for roll over of any case still on the calendar from the prior week

	Case Number	Case Name	Attorneys	Trial Length
#1	15CA851	James O'Donnell v. Brent Brunne et al.	Loeb Boykin Vine/Sidisky	5-7
#2 (B/U #1)	19CA558	Michele Post Kromrey v. Martin Memorial Health Systems, Inc., et al. <i>(Week 1 of 3)</i>	Garcia Russell Dukes Puya Knapp	15
#3 (B/U #2)				
#4 (B/U #3)				

WEEK OF OCTOBER 4 – OCTOBER 8, 2021 – JURY (WEEK 3 OF 4)

This week is available for roll over of any case still on the calendar from the prior week

	Case Number	Case Name	Attorneys	Trial Length
#1	15CA851	<i>(Week 2, if needed)</i> James O'Donnell v. Brent Brunne et al.	Loeb Boykin Vine/Sidisky	5-7
#2 (B/U #1)	19CA558	<i>Cont. (Week 2 of 3)</i> / Michele Post Kromrey v. Martin Memorial Health Systems, Inc., et al.	Garcia Russell Dukes Puya Knapp	15
#3 (B/U #2)				
#4 (B/U #3)				

WEEK OF OCTOBER 11 – OCTOBER 15, 2021 – JURY (WEEK 4 OF 4)

This week is available for roll over of any case still on the calendar from the prior week

	Case Number	Case Name	Attorneys	Trial Length
#1	19CA558	<i>Cont. (Week 3 of 3)</i> / Michele Post Kromrey v. Martin Memorial Health Systems, Inc., et al.	Garcia Russell Dukes Puya Knapp	15
#2 (B/U #1)				
Settled	18CA263	Darlene Pote Fuller, et al. v. Universal Property & Casualty Ins. Co.	Benrubi Wilson Moore	3

WEEK OF NOVEMBER 8 – 10, 2021 – JURY (WEEK 1 OF 2 – 3 DAYS ONLY)

	Case Number	Case Name	Attorneys	Trial Length
#1	*16CA703	Seabbranch Partners, LLC v Jeff H. Iravani, Inc. (<i>week 1 of 2</i>)	Wright/ Convey/ Chiocca	7
#2 (B/U #1)				
#3 (B/U #2)				

WEEK OF NOVEMBER 15 – 24, 2021 – JURY (WEEK 2 OF 2 -- 8 DAYS)

This week is available for roll over of any case still on the calendar from the prior week

	Case Number	Case Name	Attorneys	Trial Length
#1	*16CA703	Seabbranch Partners, LLC v Jeff H. Iravani, Inc. (<i>Cont...week 2 of 2</i>)	Wright/ Convey/ Chiocca	7
#2 (B/U #1)				
#3 (B/U #2)				

WEEK OF DECEMBER 13 – 22, 2021 – JURY (8 DAYS)

	Case Number	Case Name	Attorneys	Trial Length
#1	18CA569	Hilaria De Leon Lopez v. Michael Bader, et al.	Shalboub Maniotis	5
#2 (B/U #1)				
#3 (B/U #2)				

WEEK OF JANUARY 3 - 7, 2022 – JURY (1 WEEK)

	Case Number	Case Name	Attorneys	Trial Length
#1	19CA668	Romuald Pryputniewics v. Michael Betancourt et al.	Grazi Garcia	4
#2 (B/U #1)				
#3 (B/U #2)				

WEEK OF JANUARY 24 - 28, 2022 – JURY (1 WEEK)

	Case Number	Case Name	Attorneys	Trial Length
#1	14CA54	Homeowners Choice Property & Casualty v. Hurchalla et al.	Heims Swift Loeb	4
#2 (B/U #1)				
#3 (B/U #2)				
#4 (B/U #3)				

WEEK OF JANUARY 31 – FEBRUARY 4, 2022 (WEEK 1 OF 2)

	Case Number	Case Name	Attorneys	Trial Length
#1	17CA1149	JSM Construction v. Mottram (week 1 of 2)	Melville Konopka Levenstien Shendell	10 days N/Trial Filed 3/16/21
#2 (B/U #1)				
#3 (B/U #2)				
#4 (B/U #3)				

FEBRUARY 7 – FEBRUARY 11, 2022 – JURY (WEEK 2 OF 2)

	Case Number	Case Name	Attorneys	Trial Length
#1	17CA1149	JSM Construction v. Mottram (week 2)	Melville Konopka Levenstien Shendell	10 days
#2 (B/U #1)				
#3 (B/U #2)				
#4 (B/U #3)				

Next Docket Call Date: January 20, 2022 at 9:00 am

Sample Form – **Non-Jury Trial** Week Selection To Be Selected by Counsel

WEEK OF OCTOBER 18, 2021

10/20	Case Number	Case Name	Attorneys	Trial Length
9:30				
1:30				
10/21	Case Number	Case Name	Attorneys	Trial Length
9:30				
1:30				

NOVEMBER 29 – DECEMBER 2, 2021

11/29	Case Number	Case Name	Attorneys	Trial Length
9:30				
1:30				
11/30	Case Number	Case Name	Attorneys	Trial Length
9:30				
1:30				
12/1	Case Number	Case Name	Attorneys	Trial Length
9:30				
1:30				
12/2	Case Number	Case Name	Attorneys	Trial Length
9:30				
1:30				

Next Docket Call Date: January 20, 2022 at 9:00 am