


CYNTHIA L. COX

Circuit Judge

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER COUNTY FLORIDA

<p><u>Mailing Address:</u> 2000 - 16th Avenue Suite 383 Vero Beach, FL 32960</p> <p>Phone: (772)770-5231 Fax: (772) 770-5335 Email: lazard@circuit19.org</p> <p style="text-align: center;"><u>MOTIONS</u></p> <p>Motion will not be heard at the Court's Docket Call.</p>	<p>TRIAL DOCKET CALL</p> <p>FEBRUARY 28, 2012 at 9:30 A.M.</p> <p>Courtroom "7", 3rd Floor Indian River County Courthouse</p> <p><i>Trials begin at 9:30 a.m. unless otherwise ordered.</i> Note: Trial weeks are normally Tues. – Fri., unless otherwise noted on the monthly calendars posted online see webpage and monthly calendars for actual trial weeks.</p> <p>Visit Judge Cox's webpage at www.circuit19.org <i>Last update to this docket: 3/20/12</i></p> <p>NO ORDER ON DOCKET CALL WILL BE ENTERED BY THE COURT. YOU MUST MONITOR YOUR CASE ONLINE.</p>	<p><u>CASE TRACKING</u></p> <p>It is your responsibility to track your case position on the Trial Docket. Do not call the Judicial Assistant for updates on the Trial Dockets or Jury Selection or Trials 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 for Jury Selection even if the case(s) ahead of you advise that it/they are definitely going to trial.</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.</p>
<p><u>CASE SETTLEMENT</u></p> <p>If a case settles, Plaintiff's Counsel must email or fax a voluntary dismissal or letter advising the Court of same prior to the trial date so that the case may be removed from the calendar. If you do not email or fax a letter of settlement and you do not appear for the weekly trial docket call, your case will be dismissed. If your case is dismissed, please advise the Judicial Assistant by email or fax 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 Docket or Weekly Trial Calendar.</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"> • MEDIATION: Completed 10 days prior to Docket Call • PRETRIAL MEETING: 7 days prior to Docket Call (face to face) • PRETRIAL STATEMENT: Filed with Clerk no later than Docket Call • COURT REPORTER: Plaintiff's counsel for Court Reporter • EXHIBITS: Marked with Clerk no later than 2 days prior to jury selection • DISCOVERY: Completed 5 days prior to Docket Call <p>If your case is continued or rolled over to another date for trial an/d 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</p>	

1.	06-197	Glenna Simpson IRC	Paul Berg, Esq. Roy Jordan, Esq. Gary Roberts, Esq.	<u>4/9/12 @ 9:00 a.m.- 4/20/12</u>
	10-3192	Cheryl Zitzman IRMH	David Kelley, Esq., et al	DC 4/24/12 @ 9:30 to set trial May/June
	05-66	David & Margaret Bell Hayes Medical	Brian Connelly Helen Miranda	DC 9/11/12 @ 9:30
2.	07-751	Terry P. Hurley Jennifer B. Craig	Louis Vocelle Tim Treyster/Ebbetts	<u>3/20/12 @ 9:30 a.m.</u>
3.	10-4810	Weitz Surfside Pavers	Kirwin/Atkins/Alvaro	#2 backup 3/12/12 @ 1:00 p.m. & #4 3/20/12, rolled to DC 3/27
4.	09-11849	Roman Vonkomarnicki, III A & G Concrete Pools, inc, et al.	Steven Mitchel, Esq. John A. Wilkerson, Esq./ Courtcall	#2 backup 3/20/12 @ 9:30 A.M., rolled to DC 3/27
5.	10-75315	Nancy Westberry Joseph Keleman	Charles Sullivan, Jr., Esq. Bradford Jefferson, Esq. James T. Sparkman, Esq.	<u>3/12/12 @ 1:00 p.m.</u>
	07-1588	Carl Ashton, et al. IRMH, et al.	Evan Fetterman, Esq. Jeffrey Bigman, Esq. Roy Watson, Esq.	DC 7/17/12 @ 9:30
	09-12978	Quinn Dion Asoka Wijetilleke, MD	Sammy Cacciatore, Esq. Mary Jane Hall, Esq.	Voluntary Dismissal 2/10/12
6.	10-10989	Tonya Douglas IR Associates, II, et al.	Wallace B. McCall, Esq. Clark W. Smith, Esq.	DC 4/24/12 @ 9:30 To pick date May/June/3 weeks - Sr judge
	10-559	Fischer State Farm	Alpizar Lewis	Stricken 2/27/12
7.	10-74991	Cynthia Roberts John T. Rodgers	Joseph Graves Marshall Bunn/Jaime Bacca	#3 backup 3/20/12
	10-302	Dorothy Harris George Nichols, MD, et al. (Med Mal Priority Age Case)	Lachicotte/Murphy/Eyler/Du kes	DC 4/24/12 @ 9:30 10 days (senior judge request)
8.	10-4187	Bobbie Taylor Dana Sante, Kristina Martin & Allstate	David Carter/Hayskar/Costa	DC 3/27/12 @ 9:30
9.	10-75094	Bankatlantic Greenway	Zaden (via courtcall) McCormick	<u>3/16/12 @ 1:30 p.m.</u>
10.	08-2265	Deutsche v. Timothy Smith	Pendergast	<u>3/9/12 @ 3:30 p.m.</u>
11.	09-29	Nationstar Billie Joe Savolainen	Joshua Bleil Dennis Bailey	<u>4/26/12 @ 2:30 p.m.</u>
	10-74993	FVP Miami Lakes, LLC IRC	-Cornwell /Polackwich/Murphy	DC 4/24/12 @ 9:30 4 days
	10-75243	David Hamilton Brandon James/M & D	Peter Diamond Tracey Baker	Final Dismissal- 11/10/2011
	09-459	Vero Beach Lodging Henry Brusis, et al.	Michael Garavaglia, Esq. Pro Se	Settled at mediation
	11-1916	2004 Cadillac SRX Deryl Loar/ Catherine Moltimo/Garrette Collins	James G. Harping, Esq. Pro Se	Settled 2/23/12
	11-978	Julia DeLucia Winn Dixie Stores, Inc.	John G. Rooney, Esq. Daniel C. Mothe, Esq.	Stricken from docket 1/10/12
	11-1205	Betty Redmon	Gary Miller	

		St. John's Insurance Co.	Terrana Perez	Settled 2/9/12
	11-2611	Anne Frost Laguna of VB COA	Pro Se Wicker-Smith	Stipulation to strike 2/23/12
	11-1040	Teresa Shaffer Winn Dixie Stores, Inc.	Jeffrey Braxton Daniel Mothe	Settled 2/13/12
12.	09-647	AMF National Funding Doreen Wasielewski	Piedra Pro Se	<u>3/23/12 @ 3:30 p.m.</u>
	08-2834	Vista Golf, LLC	David Earle/Louis Vocelle Onier Lopez/Patrick Gonyea/Charles Sullivan, Jr. Russell Klemm	DC 3/27/12 @ 9:30
13.	10-3614	Branch Banking & Trust IR Auto Parts	Glenn Jensen Jeff Tomberg	<u>3/15/12 @ 9:30 and 3/16</u>
	10-75234	RBC Real Estate Finance, Inc Sun Castles, Inc.	Lisa Geiger, Esq. Frank DiGiacomo, Esq. Coleman & Goldfarb, Esq.	Settled 2/21/12
	11-511	Roseland Plaza Jayendra Patel Kimberly Rego	Spira Gorman Mattes	Final Judgment 1/25/12
14.	10-3963	Beal Bank Easy Global	Rizzo/Stepter/Croom/ Sullivan/Vocelle/Pro Se	DC 3/27/12 @ 9:30
	10-4080	VB Dry Cleaners Vasant Patel	Fred Kretschmer Barry Segal	Settled - FJ w/in 30 days
15.	09-12966	Chase Kenneth Wright, et al.	Luciana Ugrate, Esq. Lisa Hamilton, Esq. Craig Rappel, Esq.	<u>3/23/12 @ 3:40 p.m.</u>
16.	10-1063	Mercantil Commercebank Brett E. Tabor, et al	Paul Shelowitz Victor K. Rones	<u>4/25/12 @ 1:30 p.m.</u>
	10-688	Riverside Natl. Bank Christopher D. Smith	Joel Roberts Eugene J. O'Neill	Settled/Dismissed 1/19/12
17.	10-244	HSBC Bank Gail Debarcardo	Wes Ridout, of Pendergast Lisa Hamilton	<u>3/9/12 @ 3:45 p.m.</u>
	11-2935	Phillips Medical IR MRI	Ravi Batta Craig Rappel	Settled 2/15/12
18.	08-1258	GMAC Manuel Mendoza	Rydzewski/Albertelli/Brooks	<u>3/23/12 @ 3:45 p.m..</u>
19.	11-2753	Everbank Starkins	Rydzewski/Ugarte/Pro Se	<u>3/23/12 @ 3:45 p.m.</u>
20.	10-704	Wells Fargo Martin Magovsky	Rydzewski/Fla Default/Pro Se/Arther	<u>3/23/12 @ 3:45 p.m.</u>
	11-2560	Aurora Loan Kevin McFadden	Rydzewski/Marshall Watson/Pro Se	Consent Final Judgment
21.	11-2567	US Bank Mark Piatt	Rydzewski/Fla Default/Pro Se	<u>3/23/12 @ 3:45 p.m.</u>
	10-5383	Deutsche Dana Kittredge	Rydzewski/Wellborn/Cohen	Consent Final Judgment
22.	10-4365	Wells Fargo John Frasca	Rydzewski/Shapiro/Pro Se	<u>3/23/12 @ 3:45 p.m.</u>
	09-1725	US Bank Thomas Mellor	Hamilton/Lanning/Pro Se	Voluntary Dismissal
	11-1916	2004 Cadillac SRX Deryl Loar/ Catherine Moltme/Garrette Collins	James G. Harping, Esq. Pro Se	Voluntary Dismissal 2/24/12
23.	11-27	Starletta Knudson Tonya Douglas	Lori Costa Vivian Knapp Anthony Goodman	<u>3/6/12 @ 9:30; jury at 1:00 p.m.</u>

