

**IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT  
FOR HILLSBOROUGH COUNTY, FLORIDA  
CIRCUIT CIVIL DIVISION**

Laser Spine Institute, LLC ; CLM AVIATION LLC  
**Plaintiff**

**Case No:** 19-CA-002762

**vs**

**Division:** L

Soneet Kapila  
**Defendant**

**ORDER SETTING EVIDENTIARY HEARING ON DECEMBER 17, 2020 AT 3:00 PM (2  
HOURS)  
MONTHLY MOTION CALENDAR HEARING**

The court has determined that this case requires an evidentiary hearing on the captioned matter, and to have an orderly, fair, and efficient presentation and resolution, **ORDERS AS FOLLOWS:**

1. **Hearing Date.** The court hereby sets an evidentiary hearing and orders counsel for the parties to prepare for and attend an evidentiary hearing on the captioned matter at the date and time indicated above. The hearing is set before Judge Steven Scott Stephens, Edgecomb Courthouse, 800 East Twiggs Street, hearing room #512, Tampa, FL 33602. In lieu of a notice of hearing, the moving party shall also serve a copy of this order on all other parties.
2. **Pre-Hearing Conference.** Ten or more days before the evidentiary hearing, the parties shall conduct a pre-hearing conference in person unless all parties agree in writing that this requirement has been met without the need for inperson meeting. The parties will fully disclose all expected evidence other than true impeachment evidence. Five days before the conference the parties shall exchange exhibits and witness lists. Witness lists shall contain summaries of anticipated testimony sufficient to fairly afford notice of the substance of the party's expected testimony. At the conference the parties shall stipulate to any undisputed material facts, and shall either stipulate to the admissibility of each listed document or state with specificity the objections to it. Similarly, each party must state with specificity any objections it reasonably anticipates raising against proposed testimony.
3. **Waiver of Objections.** A party waives objections to other parties' disclosed evidence by failing to make a specific objection to it at the time of the prehearing conference. In particular, a party may effectively waive any and all objections to a document or to proposed testimony by making a vague or

blanket objection (such as objections using the term "any and all").

4. **Pre-Hearing Conference Report** The moving party shall prepare a Joint Prehearing Conference Report and reach agreement on its language with all other parties. The report shall be filed through the portal and uploaded to the JAWS documents area, five business days before the hearing. If the parties cannot agree on the language they shall call the matter up on the court's next UMC calendar without regard to coordinating the schedules of counsel. The report shall state the specific relief sought by each party, and contain any stipulations, the witness lists and objections thereto, and the document lists, with objections or stipulations to each item.
5. **Consequences of Failure to Disclose**. The court may exclude evidence that could reasonably have been anticipated at the time of the prehearing conference and not disclosed in the prehearing conference report. Other undisclosed evidence will be considered on its merits to avoid unfair surprise. Note, however, that the court may permit previously undisclosed impeachment evidence to be presented if it tends to show a party has deliberately testified untruthfully.
6. **Discovery**. This order does not alter the applicable discovery rules except to shorten the times for response to discovery requests specifically directed to this evidentiary hearing. Responses and objections to any discovery request(s) served on a party (including discovery as to experts) shall be served no later than 15 days after receipt of such request(s). Depositions may be scheduled no less than 10 business days' notice to the opposing party. If (a) either party fails to timely respond to a discovery request, (b) either party or any of such party's witnesses expected to testify at trial fails to appear for deposition, or (c) a discovery issue arises during any deposition, the Court will consider any appropriately filed motion to compel or motion for protective order on an expedited basis. Any discovery motion filed with the Court must contain a certification that the moving party attempted to reach an amicable resolution of the dispute prior to filing the motion and must set forth in detail such efforts. Such motion shall be called up on the court's next UMC docket without coordination of the schedules of counsel.

Done and Ordered in Hillsborough County, Florida this 13th day of November, 2020.

ELECTRONICALLY CONFORMED  
11/13/2020

Copies Furnished To:

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LSI HOLDCO LLC

LSI MANAGEMENT COMPANY LLC

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LLC

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CINCINNATI LLC

LASER SPINE SURGERY CENTER OF  
CLEVELAND LLC

LASER SPINE SURGICAL CENTER LLC

LASER SPINE SURGERY CENTER OF  
PENNSYLVANIA LLC

LASER SPINE SURGERY CENTER OF ST LOUIS  
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MEDICAL CARE MANAGEMENT SERVICES LLC

SPINE DME SOLUTIONS LLC

**Defendant**

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