

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY
STATE OF FLORIDA**

CITIZENS FOR STRONG SCHOOLS, INC.;
et al.,

Plaintiffs,

vs.

Case No. 2009-CA-4534

FLORIDA STATE BOARD OF EDUCATION;
et al.,

Defendants,

and

CELESTE JOHNSON; et al.,

Intervenors/Defendants.

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PRE-TRIAL ORDER

A pre-trial conference was held on March 1, 2016. After hearing argument from the parties, the Court orders the following:

1. Plaintiffs' Amended Motion to Amend the Trial Exhibit List is GRANTED IN PART and DENIED IN PART.
 - a. Dr. Owen Roberts' Alachua County statistics will be admitted. Plaintiffs will provide Defendants the back-up data for this exhibit by March 4, 2016.
 - b. Dr. Owen Roberts' fishbone diagram will be admitted.
 - c. The FADSS 2016 letter will not be admitted.
 - d. For the charts and summaries, Plaintiffs will number them as exhibits and provide Defendants with any back-up data that has not been provided. If

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the back-up data is already in evidence, Plaintiffs will identify which exhibit is the back up for each chart and summary. Defendants will notify Plaintiffs which charts and summaries they continue to object to and why and whether a witness is needed to explain the chart or summary. Plaintiffs will have to opportunity to amend the witness list to add witnesses that are necessary to explain the charts and summaries.

2. Stipulated Exhibits 4,046 through 5,292 will be admitted.
3. Defendants' charts and summaries will be admitted as stipulated Exhibits 5,329 through 5,343.
4. Objections to deposition designations and counter designations were heard and ruled upon as follows:
 - a. Defendants and Intervenor-Defendants objected to Plaintiffs' deposition designations regarding the Florida Tax Credit and McKay Scholarship programs. Evidence regarding the constitutionality of each specific program will not be admitted. Evidence regarding the impact of each program on the uniformity and funding of the overall public education system will be admitted.
 - b. Defendants' objections to Plaintiffs' designations of the January 15, 2015, deposition of Lucia Baez are SUSTAINED. No portion of Ms. Baez's January 15, 2015, deposition may be admitted into the record.
 - c. Defendants' request to call Kenneth Blocker as a witness and introduce his testimony by way of deposition is GRANTED. Defendants and

Plaintiffs have agreed to the portions of Mr. Blocker's deposition testimony that may be admitted.

- d. Plaintiffs' objections to Defendants' designations of the deposition of Frank Brogan are OVERRULED. The designated portions of Mr. Brogan's deposition may be admitted.
5. Regarding evidence concerning the 2016-17 budget, the Court ruled as follows: "THE COURT: Well, I don't know how to do it otherwise. So '16 is out, you know, unless it can be re-tied back in and I think it needs to come back in; and we'll cross that bridge when we get there. So we're just going to do 2015 -- up through 2015."
6. The Parties have agreed to waive the rule of sequestration.

DONE AND ORDERED at Tallahassee, Leon County, Florida on this 11 day of March, 2016.



George S. Reynolds, III
Circuit Judge

cc: Attached Service List

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