EXHIBIT D

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

IN RE: CIVIL CASES ASSIGNED TO
JUDGE BARBER

CASE NO. 8:20-mc-23-T-60

_____/

ORDER

THIS CAUSE is before the Court *sua sponte*. On March 11, 2020, the World Health Organization characterized COVID-19, also known as the new coronavirus, as a pandemic. Two days later, on March 13, 2020, the President of the United States officially declared a national emergency due to the virus. Significantly, the Centers for Disease Control and Prevention (CDC) has advised taking precautions to reduce exposure and slow the spread of the virus, including social distancing.[1] Most recently, the CDC recommended that for the next 15 days events of 10 or more people be cancelled or held virtually. *See* CDC: Resources for Large Community Events & Mass Gatherings (March 16, 2020 Update). Notably, the CDC's recommendations for the implementation of mitigation strategies in Florida include limiting large work-related gatherings. Indeed, to manage the risk of potential exposure to the virus, courts in Florida and around the country are postponing jury trials in civil and criminal cases, and public officials are closing schools, cancelling public events, and cautioning against any type of group gathering. Consistent with

[1] The CDC defines "social distancing" to mean remaining out of congregate settings, avoiding mass gatherings, and maintaining distance (approximately 6 feet or 2 meters) from others when possible. *See* https://www.cdc.gov/coronavirus/2019-ncov/php/risk-assessment.html.

the recommendations of public health officials and other government officials, the Court finds it necessary and appropriate to implement the following measures in all Tampa Division civil cases except those as noted below:

AUTOMATIC EXTENSION OF DATES IN CASE MANAGEMENT AND SCHEDULING ORDERS. All dates and deadlines specified in all Case Management and Scheduling Orders previously entered are extended by sixty (60) days. (For example, if a Case Management and Scheduling Order previously entered specified a discovery cut-off of May 1, 2020, the new discovery cut-off is now sixty days later – June 30, 2020). ***This sixty-day extension applies to ALL dates and deadlines specified in any Case Management and Scheduling Order previously entered, including trial and pre-trial dates.*** (For example, if a case was previously set for the April trial term, it is now re-set for the June trial term). This sixty-day extension is automatic and parties need not, and should not, file motions requesting or confirming this extension. Requests for additional extensions in addition to the automatic sixty-day extension herein are disfavored. The Court will not be issuing Amended Case Management and Scheduling Orders in each civil case specifying revised dates and deadlines; parties are responsible for calculating and calendaring all new dates and deadlines as indicated herein.

"IN PERSON" REQUIREMENTS SUSPENDED. All requirements imposed by Local Rules, or otherwise, requiring parties to meet face-to-face, or

attend events "in person," may be satisfied by telephone or video appearance for the next sixty (60) days. Travel for purposes of litigation is strongly discouraged at this time. The use of video and other means of conducting discovery is encouraged.

COURT HEARINGS BY PHONE/VIDEO ONLY. All hearings previously scheduled will go forward on the dates and times previously indicated. However, until further notice, all hearings in civil cases will be conducted by telephone, and possibly video, depending on the technology available. Parties should contact the Courtroom Deputy for instructions on appearing by phone. If a party is unable to attend a previously scheduled hearing, an appropriate motion should be filed explaining in detail the reasons the party cannot attend.

CONTINUATION OF BUSINESS. Everyone's priority in these challenging times must be their own health and safety and that of their families and communities. Yet life must go on, and the courts of the United States remain open in the Middle District of Florida. After taking appropriate measures to ensure personal safety, and taking advantage of "remote work" technology, judges and court staff will continue to carry out their duties, including ruling on motions that are fully briefed and ripe for resolution. Parties are encouraged, where possible, to move forward under the difficult circumstances presented, but only to the extent consistent with the personal health and safety of everyone involved.

The CLERK is directed to enter this order in all Tampa Division civil cases pending before Judge Barber, except those with the following nature of suit: 510, 530, 535, 540, 550, 555, & 560. Those cases will be addressed separately, as necessary.

DONE AND ORDERED in Chambers in Tampa, Florida, on March 23, 2020.

TOM BARBER
UNITED STATES DISTRICT JUDGE

CC: Magistrate Judges (Tampa Division)