

[Dordst] [Order Scheduling Trial–BK]

ORDERED.

**Dated: November 5, 2024**

  
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Jacob A. Brown  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION  
[www.flmb.uscourts.gov](http://www.flmb.uscourts.gov)

In re:

Surge Transportation, Inc.

Case No.  
3:23–bk–01712–JAB  
Chapter 11

\_\_\_\_\_  
Debtor\* /

**ORDER SCHEDULING TRIAL**

The Court will conduct a trial on the Motion for Contempt and Sanctions Against Concise Legal Group, Estela Avetyan, Esq. and Sebastian Montes for Intentional Violation of (I) the Plan Injunction, and (II) the Debtor's Discharge (Doc. No. 888) filed by the Debtor, on December 2, 2024, at 10:30 a.m., in Courtroom 4C, 4<sup>th</sup> floor, Bryan Simpson United States Courthouse, 300 North Hogan Street, Jacksonville, Florida 32202. The estimated duration of the trial is four hours, the Parties shall be prepared to continue for a longer time if such time is required to complete the trial. Accordingly, it is

**ORDERED:**

1. ***Witness List.*** The Reorganized Debtor, Surge Transportation, Inc. and Concise Legal Group, Estela Avetyan, Esq. and Sebastian Montes (collectively, the “Parties”) must exchange names and addresses of witnesses within 14 days of the date of entry of this Order.
2. ***Joint Stipulation of Undisputed Facts.*** The Parties must meet in person or by video to prepare a joint stipulation of undisputed facts and exhibits that may be admitted into evidence without objection. The stipulation must be filed no later than seven days before the date set for trial.
3. ***Exhibits.*** The Parties must comply with all requirements of Local Rules 7001–1 and 9070–1 concerning exhibits. The Parties must exchange exhibits no later than Monday, November 25, 2024.
  - (a) ***Objections to Authenticity.*** Unless written objection to authenticity is filed with the Court and served by email no later than the close of business on the second business day before trial, copies of exhibits will be admitted in lieu of the originals.

(b) ***Self-Authentication.*** If a party intends to rely upon the self-authentication procedures of Fed. R. Evid. 902(11) or (12) with respect to the introduction into evidence of records of regularly conducted activities pursuant to Fed. R. Evid. 803(6), the party must file with the Court and serve on other parties the written declaration required by Fed. R. Evid. 902(11) or (12) and a copy of all records sought to be admitted at least 28 days before trial.

4. ***Discovery Cutoff.*** The Parties must complete discovery no later than Monday, November 25, 2024 except that the Parties may complete previously scheduled depositions up to the trial date.
5. ***Discovery Disputes.*** The Parties must first confer in good faith to resolve any discovery disputes. If unsuccessful, any party may request a telephone conference with the Court so that the Court may render an informal, preliminary ruling on the discovery dispute, without prejudice to the right of any party to file a formal motion.
6. ***Meet and Confer Requirement.*** Counsel for the Parties must confer by Monday, November 25, 2024 and seek in good faith to settle the case. **Counsel for the Reorganized Debtor shall file a notice with the Court advising the outcome of this meet and confer conference within two business days of its conclusion.**
7. ***Pre-Trial Briefs and Associated Deadlines.*** No later than Monday, November 18, 2024, the Parties shall file pre-trial briefs that identify key positions, material facts and legal authority relied upon to support their respective positions.
8. ***Appearance at Trial in Person.*** Unless excused by Order of the Court upon a motion showing good cause filed within fourteen days of the date of entry of this Order, all Parties, including witnesses, the Reorganized Debtor's authorized representative, Estela Avetyan, Esq., Sebastian Montes, and their counsel, shall appear in person for this Trial.

Avoid delays at Courthouse security checkpoints. You must show a photo I.D. to enter the Courthouse. Except in the Orlando Courthouse, you may not bring a cell phone or a computer into the Courthouse unless you are an attorney with a valid Florida Bar identification card or a pro hac vice order, or the presiding judge has entered a specific order authorizing you to bring your cell phone or computer into the Courthouse. *See* Rule 7.02 of the Local Rules of the United States District Court for the Middle District of Florida and Rule 5073-1 of this Court's Local Rules.

Brad Markey, Esq. is directed to serve a copy of this order on interested parties who do not receive service by CM/ECF and file a Proof of Service within 3 days of entry of the order.

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\*All references to "Debtor" must include and refer to both of the debtors in a case filed jointly by two individuals.