

DISCOVERY ORDERS AND DEADLINES

In conjunction with an adjourned pre-trial, Trial Calendar call or trial, the Judge may impose a discovery schedule which set forth deadlines by which certain elements of discovery (depositions, interrogatories, findings of fact, conclusions of law, etc.) must be completed. Such a schedule may also be set at the request and/or consent of the parties.

Should there be a need to extend any of the original deadlines, the parties should arrange a conference call with the Court to request same and upon approval by the Court, submit an order confirming the new schedule.

TRIAL CALENDARS & TRIAL READINESS

After one or more pre-trials have been held and the parties don't believe further pre-trials would be a prudent use of time, the matter will be set down on the Court's Trial Calendar. This is generally the 3rd Wednesday of each month at 9:00 a.m. At the Trial Calendar call, the attorneys for the parties are required to appear and provide agreed upon dates that they would be available for trial during the next 1-2 months. (Out-of-town counsel are not required to appear and may supply their available dates in letter form to the Court and opposing counsel.) The Court will then schedule the matter for a day certain for trial. This is also a time at which a discovery schedule is imposed.

If a settlement is reached prior to the trial date, the parties must submit a signed stipulation by 4:30 p.m. on the day prior to trial. If no stipulation is filed, the parties are expected to appear and be prepared to go forward. The trial will not be taken off by a phone call advising that the matter has been settled.

If the trial goes forward, efforts should be made to proceed in a timely manner, including arriving early to have the Court reporter pre-mark exhibits, having additional copies available for the Court and opposing counsel, and making sure witnesses appear timely and are prepared to testify.

After closing arguments, the Court may either render a decision or reserve on its decision in order to review and research the matter more fully (including having the parties make further submissions if the Court would find it helpful or the parties so choose.) If decision is reserved, it will be issued at a later date in either oral or written form. If it will be an oral decision, the Court will advise the parties when to appear (typically on a motion calendar date) for the decision to be read into the record.