

Supplement to General Order

Judge Thomas J. Motley

Civil II, Calendar 5

January 2016

I. CHAMBERS, STAFF, AND SCHEDULE FOR CALENDAR 5

Judge:	Thomas J. Motley
Chambers:	5630 - Moultrie Building
Phone:	(202) 879-8377
Fax:	(202) 879-8357
Eserve address:	judgemotleyeserve@dcsc.gov
Judicial Admin. Assistant:	Felicia People
Law Clerk:	John Stewart
Courtroom Clerk:	Alexa King
Courtroom:	212
Courtroom Phone:	(202) 879-1525

Unless otherwise directed, matters on Calendar 5 will take place as follows:

In-court proceedings: - Courtroom 212

Pretrial/Settlement Conferences: - Courtroom 212

Trials: Mondays through Thursdays from 9:30 a.m. to 4:45 p.m., in Courtroom 212

Scheduling Conferences, Oral examinations, and Ex Parte Proofs: Fridays in Courtroom 212 from 9:30 a.m. to 11:00 a.m.

II. WEEKLY SCHEDULE

Unless otherwise directed, matters on Calendar 5 will take place as follows:

Pretrial/Settlement Conferences: Tuesdays, Wednesdays, and Thursdays at 9:00 a.m. and 4:00 p.m.

Trials: Monday through Thursday from 9:30 a.m. until 4:45 p.m.

Scheduling Conferences, Oral Examinations, Ex Parte Proofs, and other matters:

Fridays beginning at 9:30 a.m.

Motions Hearings: As scheduled by Chambers.

III. SCHEDULING PRAECIPES

Notwithstanding the earlier deadline set in Superior Court Rule of Civil Procedure 16(b), Judge Motley will approve a Civil Action Form 113 (“Praecipe Requesting Schedule Order”) submitted up to 12:00 p.m. on the day prior to the scheduling conference date. In cases in which all parties are represented by counsel, and there are no pending motions or other matters requiring the Court’s attention, Judge Motley strongly encourages attorneys to consult with opposing counsel and submit a CA Form 113 rather than appear in court for a scheduling conference.

IV. MOTIONS

Consent to Motions: The title of all motions should indicate whether they are opposed or unopposed. Judge Motley will strictly enforce the requirement in Rule 12-I(a) that before a party files any motion, it must seek the consent of other parties and include in the motion a certification that the party sought consent. If a party does not include such a certification, Judge Motley may summarily deny the motion.

Proposed Order: Administrative Order 06-17 requires a party eFiling a motion to submit electronically to chambers at Judgemotleyeserve@dcsc.gov, a proposed order in a format that can be edited (generally Word or Word Perfect). Counsel’s adherence to this Administrative Order assists the Court in ruling on motions and informing counsel of the Court’s decision in an expeditious manner. If an attorney does not submit a proposed order in such format, Judge Motley may summarily deny the motion.

Courtesy Copies: Administrative Order 06-17 requires that when an entire eFiling including exhibits exceeds twenty-five pages, a paper courtesy copy should be mailed or hand-delivered to Chambers in addition to eService. All courtesy copies delivered to chambers must be fastened/bound. Again, counsel’s adherence to this Administrative Order assists the Court in ruling on motions and informing counsel of the Court’s decision in an expeditious manner. If an attorney fails to submit courtesy copies as required, Judge Motley may summarily deny the motion.

Length of Filings: No party may submit a motion and memorandum (or an opposition to a motion and memorandum in support thereof) more than fifteen double-spaced pages in length, excluding exhibits, without leave of the court. Judge Motley may grant leave to exceed this limitation only in extraordinary circumstances. If a party fails to comply with this rule, Judge Motley may summarily deny the motion.

Reply Briefs: Parties who wish to file a reply brief may do so within five business days of the filing of an opposition brief without leave of the Court. No party may submit a reply to an opposition more than five double-spaced pages long, excluding exhibits, without leave of the court. Sur-replies may not be filed without leave of the court.

E-Filed Motions: It generally takes up to two business days for the Clerk's Office to process filings. If a party has a question about the status of a pending motion, it should check online at www.dccourts.gov/pa, or contact the Clerk's Office at (202) 879-1133, or check Casefilexpress.com.

V. **DISCOVERY DISPUTES**

The court expects the parties to follow the requirements of Rules 26 and 37. The parties must attempt to confer in person and make a good faith effort to resolve the dispute informally, prior to bringing the matter to the court's attention. If, in what should be the unusual case, the parties are unable to resolve the dispute, they shall contact chambers to arrange a telephone conference. **Prior to filing a motion relating to a discovery dispute, a party must obtain leave of the court. Failure to follow these requirements may result in sanctions.** Moreover, if the court is called upon to resolve a discovery-related motion, it may sanction the losing party pursuant to Rule 37(a)(4).

VI. **PRETRIAL CONFERENCES AND PRETRIAL STATUS HEARINGS**

Those with full settlement authority must be present at the Pretrial Conference.

Non-party Principals: Any request to excuse a non-party principal from personal attendance at a mediation, pretrial conference, or settlement conference should be made by motion at least two weeks prior to the date of the conference.

Joint Pretrial Statements: Counsel and parties are reminded that Superior Court Rule of Civil Procedure 16(e) requires the filing of a joint pretrial statement no later than one week prior to the pretrial conference. Judge Motley may *sua sponte* cancel and continue a pretrial conference if the parties have not timely filed the joint pretrial statement.

Motions *in Limine*: Judge Motley will generally rule on motions *in limine* at the pretrial conference. Notwithstanding the later deadline set forth in Superior Court Rule of Civil Procedure 16(d), parties should file motions *in limine* at least three weeks before the pretrial conference, unless the Court grants leave to file them later. Oppositions to such motions should be filed no later than one week prior to the pretrial conference.