

Rule 9. Motions

(a) Time of filing. Motions may be filed with the Tax Division at any time up through the conclusion of the trial, unless otherwise directed by the Court. Any motion to alter or amend a judgment shall be filed no later than 30 days after entry of the judgment.

(b) Form and contents. All motions or responses of either party, except those made orally during hearing or trial, shall be made in writing in the form and style prescribed by Tax Division Rule 4. Such motions or responses shall fully set forth the relief requested and, if applicable, a brief statement of facts and a statement of points and authorities in support thereof. A proposed order shall be filed with each motion or response. The proposed order shall contain a list of all persons with their current addresses to whom copies of the Court's order shall be sent. If a motion is consented to by all parties, that fact shall be indicated in the title of the motion.

(c) Response. Any response by the nonmoving party shall be filed and served upon the movant within 15 days after service of the motion, unless otherwise ordered by the Court.

(d) Disposition.

(1) Hearing: When allowed. A party may specifically request an oral hearing by endorsing at the bottom of the party's motion or opposition, above the party's signature, "Oral Hearing Requested"; but the Court in its discretion may decide the motion without a hearing. If the judge assigned to the case determines to hold a hearing on the motion, that judge shall give to all parties appropriate notice of the hearing and may specify the matters to be addressed at the hearing and the amount of time afforded to each party. If a pending motion is resolved by the parties, the movant must immediately notify the Judge's Chambers by telephone.

(2) The Court may dispose of any motion with or without a hearing or may postpone disposition until the trial on the merits.

(3) If a party fails to appear at a hearing on a motion, the Court may hear the matter ex parte.

(e) Miscellaneous.

(1) The filing of a motion shall not constitute cause for postponement of a trial from the date set.

(2) If an order of the Court to file amended pleadings is not complied with within 15 days of the date of the service of the order or within such other time as the Court may order, the Court may strike a pleading to which such an order of Court has been directed or may enter such other order as it deems just.