

## **BUSINESS OF THE COURT**

### **L.R. No. 51 TITLE AND CITATION OF RULES**

These rules shall be known as the Local Rules for Columbia and Montour Counties, the 26<sup>th</sup> Judicial District, and shall be cited as “L.R. No.”

### **L.R. No. 430 NOTICE BY PUBLICATION**

A. The following are designated as newspapers of general circulation in and for Columbia County and thereby approved by the Court for legal notices, legal advertising, and related matters:

1. Press-Enterprise, Bloomsburg, PA

B. The following are designated as newspapers of general circulation in and for Montour County and thereby approved by the Court for purposes of legal notices, legal advertising, and related matters:

1. The Danville News, Danville, PA
2. Press-Enterprise, Bloomsburg, PA
3. The Daily Item, Sunbury, PA

### **L.R. No. 216 CONTINUANCES**

A request for continuance in any matter scheduled before a district justice, special master, Board of Arbitration, hearing officer, or any other specially presiding tribunal will not be entertained by the Court. Instead, all such requests shall be addressed to the appropriate specially presiding tribunal.

### **L.R. No. 205.2(a) PHYSICAL CHARACTERISTICS OF PLEADINGS AND OTHER LEGAL PAPERS**

A. All pleadings and legal papers filed within the 26<sup>th</sup> Judicial District shall be prepared on 8 1/2 x 11 inch white paper. Exhibits which have length longer than 11 inches shall be reduced. All papers shall be typewritten, double-spaced, and legible. Script and italic type are discouraged but not prohibited. Backers are optional. All paper must be stapled at the top and not on the side.

B. All papers shall be signed by the attorney submitting the paper. Immediately beneath the signature, there shall appear the attorney’s typewritten name, office address, attorney identification number, and telephone number.

C. For a party proceeding pro se; immediately beneath the signature there shall appear the legibly printed or typewritten name, address and telephone number.

**L.R. No. 205.3 FILING OF PAPERS**

A. Domestic Relations papers will be filed only at the Domestic Relations Office.

B. Trial Briefs, Pretrial Memoranda, and trial documents such as Points for charge, Motions in Limine, and similar documents shall be stamped “Received but NOT FILED of record.”

**L.R. No. 206.4(c) ISSUANCE OF RULE TO SHOW CAUSE**

(1) A rule to show cause for petitions governed by Pa.RCP 206.1 et seq., shall issue as of course pursuant to Pa.RCP 206.6. The petitioner shall attach to the front of the petition a proposed order substantially in the following form:

(CAPTION)

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, upon consideration of the within petition, it is hereby ordered as follows:

(1) a rule is issued upon the respondent to show cause why the petitioner is not entitled to the relief requested;

(2) the respondent shall file an answer to the petition within twenty (20) days of service upon the respondent;

(3) the petition shall be decided under Pa.RCP 206.7;

(4) a pre-disposition conference shall be held on \_\_\_\_\_, at \_\_\_\_\_ .m. in the undersigned Judge’s Chambers of the \_\_\_\_\_ County Courthouse, \_\_\_\_\_ Pennsylvania; and,

(5) notice of the entry of this order shall be provided to all parties by the moving party.

BY THE COURT:

\_\_\_\_\_  
J.

(2) If the petitioner requests a stay, the order may be modified accordingly.

(3) The court, in its discretion, at a time prior to the pre-disposition conference, may conduct a telephone conference call with counsel of record and any pro se parties regarding disposition of the pending petition.

(4) A request for a stay of execution pending disposition of a petition to open a default judgment shall be presented to the duty Judge after notice to opposing counsel and any pro se parties of the intended date, time and place of presentation.

(5) At the conclusion of the pre-disposition conference, or after the telephone conference call provided for under subparagraph (3) above, the court shall issue an order providing for one or more of the following:

(i) The filing of affidavits, depositions and the like.

(ii) The scheduling of an evidentiary hearing.

(iii) The listing of the case for argument court for disposition pursuant to L.R. 1028(c)(2)(E).

(iv) Any other matters deemed appropriate for disposition of the petition.

#### **L.R. No. 208.2(c) MOTION CONTENT**

All motions filed shall include a brief statement of the applicable authority.

#### **L.R. No. 208.2(d) UNCONTESTED MOTION**

All motions filed shall include a certification, signed by counsel for the moving party or by the pro se moving party, stating whether the motion is contested or uncontested. In the absence of the certification required by this rule, the motion shall be deemed contested.

#### **L.R. No. 208.2(e) CONTESTED MOTIONS**

All motions filed relating to discovery shall include a certification, signed by counsel for the moving party or by the pro se moving party, stating that counsel or the pro se party has conferred or attempted to confer with all interested parties in order to resolve the matter without court action.

#### **L.R. No. 208.3(a) ALTERNATIVE PROCEDURES**

(1) All motions filed with a certification that the motion is contested or deemed contested pursuant to L.R. 208.2(d) shall have attached to the front thereof a proposed order substantially in the following form:

(CAPTION)

**ORDER**

AND NOW, this day \_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_, upon consideration of the within Motion, it is hereby ordered as follows:

- (1) a rule is issued upon the respondent to show cause why the moving party is not entitled to the relief requested;
- (2) the respondent shall file an answer to the motion within twenty (20) days of service upon the respondent;
- (3) the motion shall be decided under Pa.RCP No. 206.7;
- (4) a pre-disposition conference shall be held on \_\_\_\_\_, \_\_\_\_ at \_\_\_\_\_m., in the undersigned Judge's Chambers of the \_\_\_\_\_ County Courthouse, \_\_\_\_\_, Pennsylvania.
- (5) notice of entry of this order shall be provided to all parties by the moving party.

BY THE COURT:

\_\_\_\_\_  
J.

- (2) If the moving party requests a stay, the form of the order may be modified accordingly.
- (3) The court, in its discretion, at a time prior to the pre-disposition conference, may conduct a telephone conference call with counsel of record and any pro se parties regarding disposition of the pending motion.
- (4) At the conclusion of the pre-disposition conference, or after the telephone conference call provided from under subparagraph (3) above, the court shall issue an order providing for one or more of the following:
  - (i) The filing of affidavits, depositions and the like.
  - (ii) The scheduling of an evidentiary hearing.
  - (iii) The listing of the case for argument court for disposition pursuant to L.R. 1028(c)(2)(E).

(iv) Any other matters deemed appropriate for disposition of the motion.

**L.R. No. 208.3**

**(a) MOTIONS REQUESTING EX PARTE RELIEF**

A. A Moving Party intending to present to the Court a Motion requesting Injunctive Relief, a Stay of Proceedings, a Motion to Compel Discovery, or other ex parte relief shall make a diligent and conscientious effort to notify any known opposing counsel of the intent to present such a Motion at the earliest possible time.

B. Consistent with the requirement set forth in Subsection A, the Moving Party shall, at a minimum, speak with opposing counsel by telephone, or leave a specific message with his or her staff during regular business hours, or if such notice must be delivered after the close of regular business hours, the Moving Party shall make reasonable attempts to speak with opposing counsel at this his or her home, or leave a specific message with a competent adjust residing therein.

C. A Motion presented to the Court pursuant to Subsection A shall include a Certificate signed by the Moving Party stating whether or not opposing counsel was notified of the time such Motion would be presented, and if opposing counsel was not personally notified, setting forth the efforts made by the Moving Party to do so. Failure to attach a Certificate in accordance with this subsection shall be grounds for denial of the relief sought.

D. In matters in which a party is unrepresented by counsel, counsel for the Moving Party shall follow the same procedures set forth above in Subsections A, B, and C in attempting to notify and unrepresented party.

E. Upon the filing of a motion to compel written discovery, the Court shall not issue an ex parte order granting the motion in less than ten (10) days after the filing of the motion to give the opposing party time to respond to the motion.

**(b) MOTION RESPONSE**

If a motion is filed with a certification that the motion is contested or is deemed to be contested pursuant to L.R. 208.2(d), then any party opposing the relief requested shall file a written response to the motion within twenty (20) days after service of the motion. In the absence of a response, the court may consider the motion to be uncontested by any non-responding party.

**L.R. No. 210 FORM OF BRIEFS**

All briefs shall contain the following information:

- (1) The caption of the case.
- (2) A brief procedural history and comprehensive statement of the relevant facts.

(3) The issues before the court.

(4) Comprehensive argument and discussion addressed to the issues with all relevant and recent authorities. The argument shall specifically cite and endeavor to distinguish all conflicting or opposing authorities.

**L.R. No. 1018.1 NOTICE TO DEFEND**

The addresses to be included in the Notice to Defend referred by Pa.R.C.P. 1018.1 shall be as follows:

NORTH PENN LEGAL SERVICES  
168 EAST FIFTH STREET  
BLOOMSBURG, PA 17815  
(570) 784-8760

PENNSYLVANIA LAWYER REFERRAL SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
PO BOX 186  
HARRISBURG, PA 17108  
1-800-692-7375

**L.R. No. 1028(c) PRELIMINARY OBJECTIONS**

(1)(A) All preliminary objections filed raising an issue or issues under Pa.RCP 1028(a)(1), (5) or (6) (i.e., objections that cannot be determined from facts of record) shall be endorsed with a notice to plead and shall have attached to the front thereof a proposed order substantially in the following form:

(CAPTION)

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, upon consideration of the within preliminary objections, it is hereby ordered as follows:

(1) the responding party shall file an answer to the preliminary objections within twenty (20) days of service upon the responding party.

(2) a pre-disposition conference shall be held on \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ m. in the undersigned Judge's Chambers of the \_\_\_\_\_ County Courthouse, \_\_\_\_\_, Pennsylvania.

(3) notice of the entry of this order shall be provided to all parties by the party filing the preliminary objections.

BY THE COURT:

(i) The court, in its discretion, at a time prior to the pre-disposition conference, may conduct a telephone conference call with counsel of record and any pro se parties regarding disposition of the pending preliminary objections.

(1)(B) At the conclusion of the pre-disposition conference, or after the telephone conference call provided for under subparagraph (1)(A)(i) above, the court shall issue an order providing for one or more of the following:

(i) The filing of affidavits, depositions and the like.

(ii) The scheduling of an evidentiary hearing.

(iii) The listing of the case for argument court for disposition pursuant to L.R. 1028(c)(2)(E).

(iv) Any other matters deemed appropriate for disposition of the preliminary objections.

(2)(A) All preliminary objections filed raising an issue or issues solely under Pa.RCP 1028(a)(2), (3) or (4) (i.e., objections that may be determined from facts of record without further evidence) shall be accompanied by a brief in support of the objections and a praecipe for argument court in substantially the following form:

**PRAECIPE**

IN THE COURT OF COMMON PLEAS OF THE 26<sup>TH</sup> JUDICIAL DISTRICT OF  
PENNSYLVANIA  
\_\_\_\_\_ COUNTY BRANCH

No. \_\_\_\_\_  
Type of Action: \_\_\_\_\_  
TO: \_\_\_\_\_, Prothonotary,

PLACE THE FOLLOWING CASE ON THE NEXT ARGUMENT LIST

\_\_\_\_\_ Plaintiff,  
\_\_\_\_\_ Plaintiff's Attorney, Address & Telephone No.  
Vs  
\_\_\_\_\_ Defendant,  
\_\_\_\_\_ Defendant's Attorney, Address & Telephone No.

By: \_\_\_\_\_

Date: \_\_\_\_\_

Attorney for: \_\_\_\_\_

(2)(B) If the preliminary objections are not accompanied by a brief and/or praecipe for argument court, the prothonotary shall time-stamp and docket the document and shall advise the

filing party that no action will be taken on the matter until there has been compliance with the requirements of L.R. 1028(c)(2)(A).

(2)(C) The Prothonotary shall deliver a copy of the preliminary objections, praecipe for argument court and the brief to the court administrator.

(2)(D) The party filing the preliminary objections shall serve a copy of the preliminary objections, praecipe for argument court and brief on the opposing counsel or pro se opposing party or parties within five (5) days of the filing date and shall file a certificate of service in the Prothonotary's office.

(2)(E) Any matters subject to disposition by brief and oral argument under these Local Rules shall be disposed of at argument court at which all counsel of record and pro se parties shall be present. The Judge to whom the case has been assigned shall compile a list of cases to be heard at argument court and shall provide notice to counsel of record and pro se parties setting forth the following:

- (i) The date, time and place of oral argument.
- (ii) If necessary, the date upon which the moving party's brief is due.
- (iii) If necessary, the date upon which the responding/opposing party's brief is due.

At argument court, all parties shall be limited to fifteen minutes. The court, in its discretion, may grant a longer period of time for argument.

If the responding/opposing party does not file a brief as required by these Local Rules, the court, in its discretion, may determine that said party concurs in the matter.

A party may file a written request to the court for an extension of time to file a brief or for a continuance of oral argument. The request shall be in the form of a motion with a proposed order and shall indicate the reasons for the requested extension or continuance and shall further state whether the opposing counsel or opposing pro se party or parties agree or object to said request.

#### **L.R. No. 1034(a) MOTION FOR JUDGEMENT ON THE PLEADINGS**

(1) All motions for judgment on the pleadings shall be accompanied by a brief in support of the motion and praecipe for argument court in substantially the form set forth under L.R. 1028(c)(2)(A).

(2) If the motion for judgement on the pleadings is not accompanied by a brief and/or praecipe for argument court, the Prothonotary shall time-stamp and docket the document and shall advise the filing party that no action will be taken on the matter until there has been compliance with the requirements of L.R. 1034(a)(1).

(3) The Prothonotary shall deliver a copy of the motion for judgement on the pleadings praecipe for argument court and the brief to the court administrator.



(4) The party filing the motion for judgment on the pleadings shall serve a copy of the motion, praecipe for argument court and brief on the opposing counsel or pro se opposing party or parties within five (5) days of the filing date and shall file a certificate of service in the Prothonotary's office.

(5) The motion for judgment on the pleadings shall be disposed of in accordance with the procedures for argument court set forth in L.R. 1028(c)(2)(E).

### **L.R. No. 1035.2(a) MOTION FOR SUMMARY JUDGMENT**

All motions for summary judgment shall be disposed of in accordance with the same procedures for disposition of motions for judgment on the pleadings set forth in L.R. 1034(a), subparagraphs (1), (2), (3), (4) and (5).

### **L.R. No. 1301 COMPULSORY ARBITRATION**

A. **Scope.** All civil cases which seek only monetary damages, where the amount in controversy shall be fifty thousand (\$50,000.00) Dollars or less, exclusive of costs and interest, shall be submitted to, heard and decided by a Board of Arbitrators, consisting of three (3) attorneys appointed at the discretion of the President Judge. No substitution of Arbitrators so selected is permitted.

B. **Time for Submission to Arbitration by Parties.** When the pleadings are closed and the case is at issue, either party may submit a request for arbitration to the Court Administrator. This request shall be made on forms to be prepared by the Court Administrator, and shall be time-stamped in the Office of the Prothonotary prior to presentation to the Court Administrator. One copy of the request shall be filed personally by the party or counsel to the Court Administrator, and a copy shall be served upon the opposing party or parties.

C. **Time for Reference to Arbitration by Court.** On its own Motion, or the Motion of either party, when it appears, after hearing, Deposition or Stipulation that the amount in controversy does not exceed fifty thousand (\$50,000.00) Dollars, the Court shall enter an Order of reference to a Board of Arbitration.

D. **Scheduling of Hearings.** The Court Administrator shall assign cases to each Board appointed and shall designate the date and location of the hearing. The Court Administrator shall give notice of the hearing date and location to the Arbitrators and each party or his attorney.

E. **Continuances.** Except for cause shown in special cases, only one (1) continuance of a case will be granted on behalf of one party or group of parties having similar interests, and in no instance shall, a continuance be granted to a party unless the request is made at least one (1) week prior to the date scheduled for the arbitration hearing. If an attorney has a scheduling conflict, he must notify the Court Administrator no less than 72 hours prior to the arbitration hearing. If an attorney does not appear for a scheduled arbitration hearing and the arbitration is therefore cancelled, a sanction will be imposed in the amount of the arbitration fee.

**F. Duty of Arbitrators.** In no instance will a continuance be granted to an Arbitrator. All Arbitrators are required to serve as appointed and may be relieved of their appointment only by being excused by the President Judge upon good cause shown.

**G. Compensation.** Each member of the Board of Arbitrators who has signed the report or files a minority report shall receive as compensation for his services in each case a fee of seventy-five (\$75.00) Dollars. In cases requiring hearing of unusual duration or involving questions or unusual complexity, the Court, on Petition of the members of the Board and for cause shown, may allow additional compensation. The Court may also, on Petition of any party to a case, on cause shown and to prevent injustice, reduce the amount of such compensation or disallow compensation entirely. The members of a Board shall not be entitled to receive their fees until after filing a report with the Prothonotary. When the same is filed, the Prothonotary shall issue an Order for payment of such fees which shall be immediately paid from county funds as in the case of all other county debts. Fees paid to Arbitrators shall not be taxed as costs nor follow the award as other costs.

**L.R. No. 1302 SELECTION OF ARBITRATORS:**

A. The Court Administrator shall maintain a master list of arbitrators consisting of all Attorneys actively engaged in the practice of law in the 26<sup>th</sup> Judicial District arranged in a random manner. Each case for which a Certificate of Readiness for Arbitration has been filed shall be assigned by the Court Administrator to an Arbitration Board consisting of three (3) attorneys and chosen randomly from the master list. It is the intent of this Rule that the members of the Bar serving on an arbitration panel receive an equal number of appointments.

B. The Board shall be chaired by a member of the Bar admitted to the practice of law for at least three (3) years.

C. Not more than one (1) member or associate of a firm or association of attorneys shall be appointed to the same Board.

D. If any attorney wishes to be replaced as an arbitrator in any particular arbitration hearing, the attorney shall advise the Court Administrator, in writing, no later than ten (10) days before the scheduled arbitration setting forth the reasons why the attorney cannot be present at the arbitration and the attorney can be excused from serving on the Board of Arbitration for reasonable cause. If the reason why the attorney cannot appear at the scheduled arbitration arose after the seven (7) day period, the attorney shall immediately advise the Court Administrator of the reasons why he or she cannot attend the arbitration.

E. The Court Administrator shall excuse an attorney from an Arbitration only for the following reasons:

1. A conflict with a court appearance.
2. Illness.
3. Death of immediate family member. (Father, mother, husband, wife, child)

### **L.R. No. 212.1 LISTING MATTERS FOR TRIAL**

A. Cases at issue shall be listed for trial by either party filing a Certificate of Readiness for Trial Listing with the Prothonotary and by mailing a copy to all opposing counsel and to the Court Administrator in accordance with the provisions of Rule of Civil procedure. No matter shall be listed for trial when discovery proceedings are pending. In the event that a matter is listed for trial in which there are pending discovery proceedings, it shall be stricken from the list upon Motion of a party.

B. Once a matter has been listed for trial, discovery requests or proceedings shall not be initiated except upon Order of Court or written agreement of counsel filed with the Court.

### **L.R. No. 212.3 PRETRIAL CONFERENCE**

A. In any civil action filed within the 26<sup>th</sup> Judicial District in which a Praeceptum for Trial Listing has been filed, the Court shall hold a Pretrial Conference with counsel for the parties.

B. At least fifteen (15) days prior to the Pretrial Conference, counsel for Plaintiff shall contact all counsel and conduct a conference among counsel to exchange lists of witnesses to be called at trial, to resolve objections to deposition testimony, to mark all exhibits to be used at trial, to discuss the prospects for settlement and attempt to agree on the authenticity of said exhibits. Counsel who intends to try the case shall attend the attorney conference. Counsel shall make a good faith effort to agree on the authenticity and admissibility of the exhibits as well as objections to deposition testimony. If such agreement cannot be reached, the objecting party shall be prepared to state in detail the reasons for the objection together with any authorities in support of his/her position at the Pretrial Conference.

C. Counsel for each party shall thereafter submit a Pretrial memorandum to the judge before whom the case is scheduled at least ten (10) days prior to the scheduled conference. The Pretrial Memorandum shall contain the following:

1. A concise statement of the claim or defense on liability and damages;
2. A separate list of the issues involved on liability and damages;
3. A separate list of those attorneys present at the attorney conference with identification of the party each represents and the date of the attorney conference;
4. A separate list of witnesses on liability and on damages, showing the address of each and a concise summary of each witness's proposed testimony;
5. A separate list of exhibits on liability and damages;
6. A list of all deposition transcripts to be used in lieu of testimony and a statement of known objections thereto;

7. A statement of all stipulations sought from opposing parties;
8. A statement of any special request, such as request for a view, special time for a witness, courtroom needs, etc.;
9. A list of any special *voir dire* examination of prospective jurors requested by counsel;
10. Identification of any unusual legal issues which counsel expect to arise in the case. Motions in Limine should be filed no later than the date for submission of the Pretrial Memorandum; and,

11. Statement of the status of settlement negotiations to date.

D. Clients shall be consulted by counsel in advance of the Pretrial Conference as to authority with respect to settlement, including definite minimum or maximum limits of amounts of authority, and respecting such other questions as may be reasonable and anticipated to be relevant.

E. At trial, each party will be limited to those witnesses, exhibits and documents set forth in the Pretrial Memorandum unless:

1. All parties affected by any change agree in writing, which shall be filed with the Court;
2. Prompt notice of changes in the list of witnesses, exhibits or documents is made by filing with the trial Judge and servicing other counsel with s Supplemental Pretrial Memorandum;

F. At the conclusion of the Pretrial Conference, the Court may issue an Order deciding the action taken. The Order may reflect any amendments to the pleadings allowed, agreements between counsel, admissions of fact, notation of any exhibits which counsel stipulate may be received in evidence without formal proof, the limitation on the number of expert witnesses and other appropriate matters.

#### **L.R. No. 212.5 MEDIATION**

In all medical malpractice cases (and other cases deemed appropriate by the Court) in which a Praeceptum for Trial Listing has been filed, the Court Administrator, in its discretion, or at the direction of the Court, may promptly refer the case to Mediation or a Settlement Conference under the direction of the Court as follows:

1. Trial counsel must attend the Mediation or Settlement Conference. No substitute counsel shall be permitted to attend in place of trial counsel.

2. Trial counsel must be authorized to discuss and conclude settlement at the Mediation or Settlement Conference. The parties or their insurance representatives shall be available either in person or by telephone if necessary to conclude settlement.

3. Notice of the date, time and place of the Mediation or Settlement Conference will be sent to counsel by the Court.

4. At least seven (7) days prior to the Mediation or Settlement Conference, counsel shall submit Pre-Conference Statements to the Court which shall contain all of the following:

- a. A brief statement of the facts and events out of which the party's claim or counterclaim arose or upon which the party's defense is based.
- b. A brief summary of the known special damages the party has incurred to date, if applicable.
- c. A list of witnesses who will testify at trial.
- d. An estimate of the trial time required.
- e. A statement of unusual legal issues presented, including significant questions of evidence.
- f. A list of exhibits to be introduced at trial.
- g. A statement of settlement negotiations to date, including the plaintiff's most recent demand and the defendant's most recent offer.
- h. Expert reports shall be attached to the Pre-Conference Statements.

#### **L.R. No. 4005 DISCOVERY PRACTICE**

Interrogatories to a party, as a matter of right, shall not exceed forty (40) in number. Interrogatories inquiring as to the name and location of witnesses, or the existence, location and custodian of documents or physical evidence shall be construed as one interrogatory. All other interrogatories, including subdivisions of one number interrogatory, shall be construed as separate interrogatories. If counsel for a party believes that more than 40 interrogatories are necessary he shall consult with opposing counsel promptly and attempt to reach a written Stipulation as to a reasonable number of additional interrogatories. Counsel are expected to comply with this requirement in good faith. In the event a written Stipulation cannot be agreed upon, the party seeking to submit additional interrogatories shall file a Motion with the Court showing the necessity of relief.

#### **L.R. No. 4007.1 PROCEDURE IN DEPOSITION BY ORAL EXAMINATION**

A. A period of at least twenty (20) days is hereby determined by the Court to be “reasonable notice” required by Pa.R.C.P. 4007.1(b).

B. In the scheduling of any deposition, the party noticing the deposition is required to make reasonable efforts to first contact opposing counsel and agree upon a mutually convenient date, time and place of deposition before issuing a notice of deposition.

#### **L.R. No. 4011 OBJECTIONS TO DISCOVERY REQUEST**

Any objection to an interrogatory, request for production of documents or request for admission shall be served upon opposing counsel within thirty (30) days of service of said request. Failure to service upon opposing counsel a timely objection in accordance with the provisions of this Rule shall be deemed a waiver of objection to the interrogatory, request for production of documents or request for admission. If no answers or objections to discovery requests have been served, and if no written extensions of time for providing responses to discovery requests have been granted, a Moving Party, pursuant to L.R. 26.3, may present a Motion to Compel Discovery *ex parte*.

#### **L.R. No. 4014 NUMBER OF REQUESTS FOR ADMISSIONS**

Requests for admissions to a party, as a matter of right shall not exceed (40) in number. If counsel for a party believes that more than (40) requests for admissions are necessary, counsel shall consult with opposing counsel promptly and attempt to reach a written Stipulation as to a reasonable number of additional requests for admissions. Counsel are expected to comply with this requirement in good faith. In the event a written Stipulation cannot be agreed upon, the party seeking to submit additional requests for admissions shall file a Motion with the Court showing the necessity for relief.