IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – LAW DIVISION

JUDGE RAYMOND W. MITCHELL

STANDING ORDER

March 29, 2012

This Standing Order supercedes all prior Standing Orders regarding pending cases assigned to Calendar S of the Law Division in Room 2004, Richard J. Daley Center, Chicago. All prior Standing Orders of this Calendar are hereby vacated. The purpose of this Standing Order is to establish a general pre-trial and trial procedure intended to aid in the timely resolution of matters assigned to this calendar. Where special circumstances exist that warrant modification, those cases will be handled according to the specific needs presented.

It is the intention of the court that all court personnel, including the judge, be of assistance to all attorneys and all litigants who have business before the court. If you have questions concerning the requirements of this order, the scheduling of matters before the court, or other matters with which we are permitted to be of assistance, please ask.

A. CASE MANAGEMENT CONFERENCES

Cases will be set for case management conferences from time to time by order of the court. Case management conferences may relate to progression of a case toward trial, settlement, mediation or other ultimate disposition.

1. INITIAL CASE MANAGEMENT CONFERENCE

a. Newly Filed Cases

Approximately ninety (90) days after the filing of each case assigned to this court's calendar (Calendar S), the clerk of the court will notify parties' counsel or *pro se* litigants who appeared of an initial case management conference, which is held approximately one hundred and twenty (120) days after the initial filing date. The notice will specify the date and time of the hearing. Notice of the initial case management conference is also published in the Chicago Daily Law Bulletin.

At the initial case management conference, **counsel familiar with the case, or *pro se* litigants, must** appear and **must** be prepared to inform the court of the status of service of process upon all named parties, including all efforts that have been undertaken to locate and serve all unserved defendants, the status of the pleadings and the status of ongoing discovery. The plaintiff's attorney may move for the appointment of a special process server to be heard at the time of the initial case management conference, or counsel may otherwise file a routine motion for appointment of a special process server well in advance of the initial case management conference.

If it appears to the court that one or more defendants have not been served, the court may continue the case for an additional case management conference at which time the plaintiff or plaintiff's counsel shall be prepared to report on all steps that have been taken to serve all unserved defendants. If it should become apparent to the court that the plaintiff is not exercising reasonable diligence to effectuate service of process, the court may invoke the provisions of Supreme Court Rule (S. Ct. R.) 103(b) on the court's own motion at the case management conference.

b. Pending Cases Assigned to Individual Commercial Calendar

The plaintiff shall prepare a Pre-Trial Memorandum (Circuit Court Form CCL-56, which can be found in Room 801 of the Daley Center), and circulate that memorandum to all other parties at least two court days prior to the case's initial case management conference. Plaintiff shall present the memorandum to the court at the initial case management conference.

Counsel familiar with the case must appear for all parties represented by counsel. *Pro se* litigants must also appear. At the initial case management conference before this calendar, all parties must be prepared to inform the court of all contemplated discovery, both written and oral, and the length of time that each party estimates will be necessary for the completion of discovery.

The parties should also be prepared to report to the court the status of the pleadings, and any pending or contemplated pre-trial motions and other matters mandated by S. Ct. R. 218.

At the parties' first case management conference, the court will commence to supervise the discovery process, including the entry of orders compelling compliance with outstanding discovery requests.

2. REGULAR CASE MANAGEMENT CONFERENCE CALL

Cases will be continued for further case management conferences to 1) afford the court an opportunity to monitor the status of all cases, 2) enable the court to enter such orders as it deems appropriate, and 3) facilitate proper discovery and pre-trial motion practice with a view to expeditiously and reasonably get cases ready for trial or for other disposition.

Repeated failure to attend scheduled case management conferences may result in the entry of an order dismissing the case for want of prosecution, an order of default, or other appropriate sanctions pursuant to S. Ct. R. 218 and S. Ct. R. 219.

B. PRE-TRIAL SETTLEMENT CONFERENCES

The court strongly encourages all parties to, in good faith, explore and negotiate settlements of their cases. In most circumstances, freely negotiated settlements result in a

more satisfactory resolution of the dispute at a much lower cost. If the court can assist the parties in their settlement negotiations at any stage of the pre-trial process, it stands ready to do so. After conferring with all other parties and having obtained a consensus that a Pre-Trial Settlement Conference may be of assistance, any party may move the court to set a Pre-Trial Settlement Conference.

Before the court participates in a settlement conference, the court will expect the parties to attempt settlement between or among themselves.

Pre-Trial Settlement Conferences may be continued from time to time, so long as the court is of a belief that progress toward settlement is being made. The court may set the case for trial on a date certain, whether or not a Pre-Trial Settlement Conference is to be conducted.

C. MEDIATION OF MAJOR CASES (CIRCUIT COURT OF COOK COUNTY RULE 20)

Any Law Division case, irrespective of its filing date, procedural posture or discovery status, may be submitted for voluntary mediation. Mediation is a confidential process by which a neutral mediator, selected by the parties or selected by or with the assistance of the court, assists the litigants in reaching a mutually acceptable agreement. The role of the mediator is to assist the parties in identifying issues, reducing misunderstandings, exploring and clarifying the parties' respective interests and priorities, and identifying and exploring possible solutions that will satisfy the interests of all parties and thereby resolve some or all of the issues in dispute. The parties and their representatives are required to mediate in good faith, but are not compelled to reach any agreement.

The judge to whom the matter is assigned may order any contested civil matter pending in the Law Division to mediation by entering an Order of Referral. An Order of Referral may be entered *sua sponte* or upon the motion of any party. Further, the parties may file a written stipulation to mediate any case or issue between them at any time and such shall be incorporated into the Order of Referral.

Each Order of Referral shall set a court appearance for the twenty-first day following the date of entry of the Order of Referral (unless that date falls on a court holiday, in which case the Order of Referral shall set the court appearance for the first court day following that court holiday), or as otherwise determined by the court. Please refer to Circuit Court of Cook County Rule 20 for more information regarding this process.

D. FINAL PRE-TRIAL CONFERENCES (JURY TRIALS ONLY)

The following provisions and orders apply only to cases in which a jury has been demanded.

At the same time the court sets a trial date, or shortly thereafter, the court will also set one or more Final Pre-Trial Conferences. At the first Final Pre-Trial Conference, plaintiff shall file a Final Pre-Trial Memorandum with the court. The purpose of the Final Pre-Trial Memorandum is to limit the issues to be decided at trial. This will ensure that parties engage in essential trial preparation in a timely fashion, and it will help eliminate the possibility of a delay during trial. At least ten (10) court days prior to the first Final Pre-Trial Conference, plaintiff's attorney or plaintiff *pro se* shall serve all counsel of record a proposed Final Pre-Trial Memorandum.

The Final Pre-Trial Memorandum Shall Contain the Following:

1. Statement of the Case: **A short proposed statement of the case for use in jury selection.** The statement of the case should be designed to briefly inform the *venire* of the nature of the case to which they have been assigned for jury selection. It should not go into great detail. **Counsel for all parties, or *pro se* litigants, must, in advance of the first Final Pre-Trial Conference, attempt to agree on the proposed statement of the case.** If the parties are unable to agree, each must submit their own proposed statement of the case for use in jury selection, but the court expects the agreement of all parties.

2. Statement of Stipulated Facts: **A statement of all facts stipulated to between the parties.**

3. Supreme Court Rule 216: If the stipulation is by way of an admission pursuant to S. Ct. R. 216 Admissions of Fact or Genuineness of Documents the request(s) and response(s) should be included.

4. Exhibit Lists: **A list of all exhibits that parties intend to use or offer into evidence.** Each party shall prepare and provide to each other party a list of all exhibits. All exhibits shall be listed according to the number that the party offering the exhibits intends to use at trial. Opposite each exhibit, the party preparing the memorandum shall indicate whether a stipulation has been entered into regarding the authentication of the exhibit, or whether foundation testimony for its admission has been waived.

5. Witness Lists: **A list of all potential witnesses expected to be called by each party, the expected order in which such witnesses will be called, and the estimated duration in time of the direct and cross-examination of each witness.**

6. Deposition Transcripts and Recorded Testimony: If recorded testimony is to be used and the court needs to make rulings on objections, the proponent of the testimony should list the witness and indicate the rulings that will be needed. The proponent should bring copies of the transcript to the Final Pre-Trial Conference.

(Note: You must provide your own court reporter if you desire to have a court reporter present.)

7. Motions in Limine: **A motion raised before or during trial to exclude the presentation of certain evidence to the jury.** Each of the parties will serve opposing

counsel with motions in limine at least ten (10) days prior to the first Final Pre-trial Conference. After each motion, there should be an indication as to whether parties agree to or contest the motion. Each party is to prepare, if at all, a single motion in limine listing in separate paragraphs each item of relief requested and a brief reference to the case(s) supporting such relief. As to relief directed to the opinion testimony of expert witnesses, the motion must contain specific references to the opinions to which the witnesses are to be limited.

(Note: The court will not entertain generalized requests to limit the testimony of an expert to those opinions expressed during discovery. The response of each party to every other party's motion in limine shall specifically state upon which items there is agreement and upon which items there are objections. Regarding those items of relief to which there are objections, the response shall state the basis for the objection, a brief reference to the cases supporting the objection, and a reference to and copy of all discovery material supporting the objection.)

8. S. Ct. R. 237 Requests to Produce at Trial. At least seven (7) days prior to the first Final Pre-trial Conference, parties will prepare and deliver to the court, counsel for all parties, and *pro se* litigants a statement of all outstanding disputes regarding requests to produce at trial pursuant to S. Ct. R 237. Each party desiring an opposing party to produce either materials or witnesses at trial pursuant to S. Ct. R. 237 is to serve the opposing party with notice in adequate time so that the request to produce can be discussed at a meeting between counsel prior to the preparation of the first Final Pre-trial Conference. Counsel will make a good faith effort to determine if there are any issues regarding S. Ct. R. 237 requests to produce at trial and resolve them by agreement.

9. Jury Instructions. Plaintiff must deliver one marked copy of proposed jury instructions to the counsel for each opposing party, or *pro se* litigant; the copy must be sorted in the order of the Illinois Pattern Jury Instruction (IPI) numbers, and plaintiff's counsel, or *pro se* plaintiff, shall deliver two copies of a set of verdict forms to each other counsel or *pro se* litigant at least ten (10) days prior to the first Final Pre-Trial conference. If a party submits non-IPI instructions, the party must submit these instructions following the tendered verdict forms.

(Note: The plaintiff's counsel or pro se *plaintiff shall have the initial burden of tendering jury instructions. Plaintiff's counsel, or* pro se *plaintiff, shall provide a copy of the proposed instructions, along with the rest of the proposed Final Pre-Trial Memorandum, at a meeting of counsel (including parties* pro se*) at least ten (10) days prior to the first Final Pre-Trial Conference. Defendant's counsel, or* pro se *litigants, shall provide copies of any additional instructions to the plaintiff at least six (6) days prior to the Final Pre-Trial Conference, and such copies should be included in the first Final Pre-Trial Memorandum. Should plaintiff's counsel, or* pro se *plaintiff, fail to propose jury instructions, defendant's counsel or* pro se *litigant shall be responsible for proposing jury instructions. The failure of a party to tender jury instructions in accordance with this order may be taken by the court as a waiver of the jury demand.)*

9. Attorney's Conference. Ten (10) or more days before the first scheduled Final Pre-Trial Conference, the attorneys representing each party and parties *pro se* shall meet

at the office of the attorney for the plaintiff, or as otherwise mutually agreed, to exchange exhibit lists, proposed jury instructions and motions in limine. Additionally, in advance of *voir dire*, parties shall discuss the proposed statement of facts to be read to prospective jurors, the allocation of peremptory challenges, and the necessity, if any, to impanel alternate jurors.

Within five (5) court days following the meeting of all counsel, each party's attorney and each *pro se* litigant shall forward to every other counsel, or *pro se* litigant, their response(s) to all motions in limine and an indication regarding objections to any exhibits and proposed jury instructions.

10. Final Pre-Trial Memorandum.

Following the meeting of all counsel including any *pro se* litigants, and after receipt of all responses to motions in limine, objections to exhibits and proposed jury instructions, counsel for plaintiff shall prepare the Final Pre-Trial Memorandum, which shall incorporate the required exhibit lists, statement of facts, and instruction lists, and shall incorporate all of the agreements of the parties as to the admission of exhibits, and the giving of instructions, stipulations of fact and statements of fact to be read to the prospective jurors. Each party shall cooperate to the fullest extent necessary to enable plaintiff's counsel to prepare the Final Pre-Trial Memorandum.

Plaintiff shall file a single Final Pre-Trial Memorandum that includes both the plaintiff's and defendant's responses to each of the requested items.

In those rare situations where cooperation has failed to produce a joint memorandum, each side should serve their own memorandum upon each other at least three (3) days prior to the first Final Pre-Trial Conference.

At Final Pre-Trial Conferences, the court may rule on contested motions in limine, set the number of peremptory challenges, discuss trial scheduling, and enter other orders as deemed necessary.

(Note: This procedure will not prevent a party from making any appropriate objection to testimony at trial, regardless of whether the matter could have been raised by way of a motion in limine.)

The attorney(s) or *pro se* litigants appearing at the Final Pre-Trial Conferences must have full knowledge of the case and the attorney(s) must have full authority to bind their respective clients to stipulations of fact, pre-trial motions and other matters in preparation for trial. In the event that an attorney lacks such authority, the party (or authorized representative where appropriate) must be present or available by telephone. The failure of trial counsel to appear at the Final Pre-Trial Conferences may result in the dismissal of the action for want of prosecution, the entry of an order of default or other appropriate sanctions pursuant to S. Ct. R. 218 and S. Ct. R. 219.

E. NON-JURY (BENCH) TRIALS

At least fourteen (14) days prior to the date set for trial to begin, counsel for all parties shall exchange exhibit lists, witness lists, and motions in limine, if any.

1. Exhibit Lists. Counsel for each party will confer with one another to stipulate, to the extent possible, to the waiver of foundational requirements for each document or other exhibit that will be sought to be used at trial.

2. Witness Lists. The witness lists to be exchanged by each party will include the following:
    a. The name and address of each witness;
    b. The estimated length of time needed for direct and cross-examination of each witness; and
    c. The approximate order in which the witnesses will be called.

3. Motions in Limine. Unless otherwise ordered, Motions in Limine will be heard by the court at the time of trial.

F. MOTION PRACTICE

1. Emergency Motions. Emergency Motions are heard Monday through Friday at **9:15 a.m.** unless otherwise ordered by the court. The motion should involve a genuine emergency; that is, it should involve some circumstance that could lead to irreparable damage to a party if relief is not obtained prior to the time the party could be heard on the court's regular motion call or at the next scheduled case management conference.

a. Any motion brought within ninety (90) days of a set trial date may be brought as an emergency motion in order to protect the set trial date.

b. A motion to extend the discovery cut-off deadline that is filed prior to the cut-off date and noticed for hearing at the next scheduled court appearance is sufficient to show the court that the movant has done everything possible to comply with the discovery cut-off date. Therefore, it is not necessary to appear in court on an emergency basis for this purpose. Similarly, a motion to file a brief in excess of fifteen (15) pages is not an emergency, and a motion filed with the court and noticed for hearing at the next regularly scheduled court date is sufficient.

2. Routine Motions. The court entertains Routine Motions at 9:00 a.m. on each day of the week. Routine Motions shall be governed by the Rules of Procedure of the Motion Court of the Law Division of the Circuit Court of Cook County, which can be found online at: www.cookcountycourt.org/rules/rules/court_rules.html.

A party may object to a routine motion in writing or orally, in person or by telephone. Objections must be made either the day prior to the scheduled day of presentation, or by 9:00 a.m. on the day of presentation. The party making an objection must state the reason. If an objection is received, or if the court objects to the entry of the order, the court will not enter the order. If the moving attorney chooses to pursue the

motion, she or he must put it on the Regular Motion call. See, Motion Judges Rules 5.0(g), a copy of which may be found in Room 2005 of the Daley Center.

(Note: Motions for default judgment, motions to withdraw without substitution of attorney, and any discovery motions must be brought as regular motions.)

3. Regular Motion Call. The court hears the Regular Motion call on Tuesdays. The first fifteen (15) motions spindled are set for 9:30 a.m., those numbered sixteen (16) through thirty (30) are set for 10:00 a.m., and those numbered thirty-one (31) through forty-five (45) are set for 10:30. This court has been designated "Motion Call S," and Regular Motions shall be docketed in the Clerk's office on the 8th floor of the Richard J. Daley Center, 50 W. Washington. Chicago, IL 60602. Cook County Circuit Court Rule 2.1 and the Motion Judge's Rules shall apply to all motions set on the court's Regular Motion call.

4. "Piggy-Backed" Motions. With proper notice to counsel for all parties who have appeared, and to *pro se* parties, motions may be brought or "piggy-backed" before the court at any regularly set Case Management Conference, Motion Hearing or Pre-Trial Conference.

5. Courtesy Copies. Courtesy copies of motions to be presented should be delivered three (3) court days prior to presentment. For fully briefed motions, courtesy copies should be delivered on the date the reply brief is filed. Courtesy copies may be placed in the tray outside of the courtroom.

(Note: The Clerk of the Circuit Court of Cook County keeps copies of all pleadings, but the judge hearing the case will usually not have the court file. Therefore, the movant must supply courtesy copies of all relevant pleadings.)

6. Automatic Briefing Schedule – Contested Motions. Unless otherwise ordered by the court, for contested motions that have been noticed for presentment to the court, respondent has twenty-one (21) days from the date the motion is served on respondent to file a response to the motion, and movant has fourteen (14) days thereafter to file any reply. Therefore, since there is an automatic briefing schedule that begins to run from the time any party is properly served with a motion and a notice of motion, the motion may, at movant's option, be noticed to be brought before the court at any time the case has been set for any case management conference, motion hearing or pre-trial conference. Further, if the motion has been served on the respondent a sufficient number of days prior to the date that the motion is noticed to be brought before the court, the motion should be fully briefed, requiring only a hearing date. Therefore, the need to "spindle" a motion for the court's Tuesday motion call may be unnecessary since typically all that may happen at the Tuesday motion call is the entry of a briefing schedule.

(Note: It may be best to remind opposing counsel in the forwarding letter accompanying a notice of motion together with the motion itself, that this Standing Order gives respondent twenty-one (21) days to respond to the motion from the date it is received with a notice of motion, after which the movant has fourteen (14) days to serve and file a reply.)

7. Briefs and Citations.

a. No motion, opening brief or response brief shall exceed **fifteen (15) double-spaced pages, 12 pt. font and 1 inch margin** (exclusive of exhibits). Oversized briefs are disfavored and require leave of court. No reply brief shall exceed seven (7) pages. No surreplies will be permitted.

b. Citations shall include citations to Official Illinois Reporters. Reference to the Northeastern Reporter alone is not acceptable.

c. Movant is responsible for providing the court with courtesy copies of all briefs and a copy of the relevant pleadings, motions or other documents under attack.

8. Rulings on Written Briefs Alone. Unless the court orders otherwise, the court may rule on the pending motion(s) on the written briefs submitted, without oral argument. If the court feels that it needs oral argument to better understand the substance of the motion or arguments of counsel, then oral argument will be allowed.

9. Appearance at Motion Hearings. Each movant and respondent must appear at each set motion hearing, either in person or through counsel.

If a motion is set for oral argument and a *pro se* litigant or counsel for the parties does not appear, the court may rule based on the written briefs submitted, or, at the court's option, may strike the motion.

G. CLERK STATUSES

Clerk Statuses are held on Fridays at 9:00 a.m. If the movant fails to appear for a Clerk Status by 9:30 a.m., the court may strike the motion unless the court is notified beforehand about the inability of a party or counsel to attend.

At such time as the court enters a briefing schedule on a motion that has been or is to be filed, the court may then continue the pending motion for a Clerk Status, at which time counsel for the parties will appear in the court's chambers to inform the law clerk or the court's personnel that the motion is or is not fully briefed. If the motion is fully briefed, the court may give a motion hearing date and time, and counsel for the movant will prepare an order to be entered by the judge continuing the motion to that date and time for hearing.

H. CLAIMS OF PRIVILEGE

Claims of privilege will not be entertained unless the party asserting the claim has supplied a Privilege Log (see Supreme Court Rule 201(n)), and any affidavits or other proof necessary to lay a factual basis for the privilege claimed. See *Chicago Trust Co. v. Cook County Hospital*, 298 Ill. App. 3d 396, 401 (1st Dist. 1998), ("The burden of establishing the applicability of a discovery privilege rests with the party seeking to invoke the privilege.")

I. MOTIONS FOR DEFAULT

a. Finding of Default

1. Notice. The moving party must provide, or attempt to provide, the opposing party with notice of a motion for default and default judgment. This may be accomplished by mailing the notice of motion and the motion to the respondent party's last known address by both regular mail and by certified mail.

2. Documents Required. At the hearing on the motion for default, the following documents must be delivered to the court:

a. A clerk-stamped copy of the notice of motion and motion;
b. A copy of summons with the sheriff's return showing service;
c. An attorney's certificate, signed by counsel, certifying that both the court file and the clerk's computer have been checked for defendant's appearance and answer. The certificate must be dated no more than ten (10) days before the date selected to present the motion; and
d. If defaulting an individual, the attorney must present a military affidavit, i.e., an affidavit that certifies defendant is not in the military.

b. Entering Default Judgment

1. Unliquidated Damages. The court may set the matter to a further date for prove-up of damages, or may hear the prove-up of damages at the initial motion for default judgment hearing date. Parties may prove damages by affidavit in accordance with Supreme Court Rule 191.

2. Liquidated Damages. The court will enter a default judgment upon presentation of the following documents:
a. A copy of the verified complaint with exhibits, or an affidavit by the moving party establishing the judgment amount;
b. An affidavit detailing the costs of the suit; and
c. An affidavit for attorneys' fees, if applicable.

(Note: The individual verifying the complaint or certifying the complaint in accordance with 735 ILCS 5/1-109, must indicate in the body of the verification or certification language that he or she is someone who should and does know the truth of the matters so verified or certified.)

c. Attorneys' Fees

Attorneys' fees are recoverable only by statute or when provided for in an agreement between the parties. If attorneys' fees are recoverable, an affidavit from the attorney is necessary to establish the amount. The affidavit shall state:

1. The date that services were performed;

2. The nature of the services performed;
3. The amount of time spent performing the services;
4 The attorneys' hourly rate;
5. The year the attorney graduated from law school, and the experience of the attorney in legal matters in the nature of those being billed;
6. A statement that the number of hours spent and the rate charged per hour is fair and reasonable and within the normal standards of the community for the type of services performed.

(Note: Any motion for default that fails to meet the above requirements may be stricken or the hearing continued for the provision of additional information.)

J. DISCOVERY DISPUTES

If discovery disputes arise, the parties must engage in a Supreme Court Rule 201(k) conference and attempt to resolve the dispute prior to spindling or noticing a motion for sanctions, or other relief concerning the dispute.

K. REQUESTS TO ADMIT FACTS AND GENUINESS OF DOCUMENTS

(a) Since the parties and the court may be unable to determine whether facts and documents are relevant before the parties are at issue in the pleadings, no request to admit facts and no requests to admit the genuineness of documents in accordance with Supreme Court Rule 216(a) and (b) may be served on a party and filed with the court prior to the time the parties are at issue in the pleadings, except by prior leave of court. Once any two (2) parties are at issue, those parties only may initiate requests to admit in accordance with Supreme Court Rules.

(b) The court has found that many attorneys, and almost all *pro se* litigants, are unfamiliar with the requirements of Supreme Court Rules 216 and 183. Therefore, even slight violations of these Supreme Court Rules, as further explained by relevant case law, may result in the ultimate disposition of the case. In response to these concerns, the Illinois Supreme Court recently amended Supreme Court Rule 216. The rule as amended contains the following requirements:

> (f) *Number of Requests.* The maximum number of requests for admission a party may serve on another party is 30, unless a higher number is agreed to by the parties or ordered by the court for good cause shown. If a request has subparts, each subpart counts as a separate request.
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> (g) *Special Requirements* A party must: (1) prepare a separate paper which contains only the requests and the documents required for genuine document requests; (2) serve this paper separate from other papers; and (3) put the following warning in a prominent place on the first page in 12-point or larger boldface type: ***"WARNING: If you fail to serve the response required by Rule 216 within 28 days after you are served with***

this paper, all the facts set forth in the requests will be deemed true and all the documents described in the requests will be deemed genuine."

Ill. S. Ct. R. 216 (f)-(g) (LEXIS 2011).

(c) Before the court will deem facts admitted pursuant to Supreme Court Rule 216, the party seeking to deem facts admitted must demonstrate to the court that it strictly complied with the new requirements of Supreme Court Rule 216. Specifically, the party must demonstrate: (1) that there were only 30 requests for admission served on the opposing party; (2) that the requests and the documents required for genuine document requests were served separately from other papers; and (3) that the first page of the requests contained the warning in the proper font.

(d) A motion for leave of court to serve a request for more than thirty (30) admissions must be in writing and shall set forth the additional facts requested to be admitted and attach copies of the documents if any, the genuineness of which are requested to be admitted, and set forth the reasons establishing good cause for these additional requests to admit.

L. TRIALS AND DATES

1. Opening Statements and Closing Arguments. Unless otherwise ordered by the court, in all jury trials, opening statements will be limited to twenty (20) minutes per side, and closing arguments will be limited to thirty (30) minutes per side. Plaintiff's counsel or plaintiff *pro se* will have to schedule rebuttal time so that the total of thirty (30) minutes in closing arguments is not exceeded.

2. Trial Dates are Firm. **Trial dates are firm** and will rarely be continued. On those very rare occasions, trial dates will be continued only for good cause shown – usually involving the serious illness of counsel, one of the parties or a necessary witness. Otherwise, assume the date is firm and that the court will not grant a continuance.

M. STANDING ORDER CONSIDERATIONS

1. Applicability and Inconsistency**.** Unless the court orders otherwise (either generally or in a particular case), this Standing Order applies in every case. In the event of any inconsistency between this Standing Order and any order entered in a case, the order entered in the case controls to the extent of the inconsistency.

2. Modification. The court may modify this Standing Order from time to time.

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Judge Raymond W. Mitchell