

## MDL 875: MOTION PROCEDURE

### Contested Motions

If you wish to be heard on a contested motion, please follow the following procedure:

- 1.) Beginning in January 2009, any motion filed by the 10<sup>th</sup> of the month will be placed on the court's calendar to be heard on the first Tuesday of the following month beginning at 9:00 am or as soon thereafter as the court may find convenient. If the motion is filed after the 10<sup>th</sup> of the month, it will be placed on the court's calendar to be heard on the first Tuesday of the second month after the motion was filed.
- 2.) In the Court's discretion, any motion may be assigned to a different date.
- 3.) All motions must be accompanied by a memorandum of law citing to the substantive or procedural rule which governs the motion.
- 4.) If factual materials are relevant to the determination of the motion, they shall be appended to the motion.
- 5.) Any party opposing the motion shall have ten (10) days within which to file and serve a response upon the moving party. This response must include all relevant factual information in opposition to the motion and cite to the substantive or procedural rule relied upon for opposition.
- 6.) No reply to the opposing party's response shall be filed without leave of court, which shall be sparingly granted
- 7.) There will be a strict limit of one continuance granted per party per motion.

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**See Motion Schedule page at <http://www.paed.uscourts.gov/mdl875ms.asp> for an updated schedule of those motions that are listed for hearing.** All hearings will take place at:

Courtroom 11A  
United States Courthouse  
601 Market Street  
Philadelphia, PA 19106

### **Administrative Motions**

- 1.) Any matter concerning scheduling or any administrative issue may be brought to the court by motion.
- 2.) All motions must indicate whether the opposing side has consented and attach a sample formal order stating the relief sought.
- 3.) An answer to an administrative motion shall be filed within five (5) days, otherwise the motion will be deemed uncontested.
- 4.) An administrative motion may be decided by the Court based on the papers without scheduling a hearing.