

**IN THE SUPERIOR COURT OF THE STATE OF DELAWARE  
IN AND FOR NEW CASTLE COUNTY**

Plaintiff(s)	)	
	)	
	)	
	)	C. A. NO. N00C-00-000 VLM
	)	
	)	
v.	)	
	)	
	)	
	)	
Defendant(s)	)	

**ORDER ESTABLISHING SCHEDULING CONFERENCE**

The Court will hold a scheduling conference with \_\_\_\_\_, Esquire and \_\_\_\_\_, Esquire on \_\_\_\_\_, **2014 at 0:00 a.m.** in chambers. (If this date and time is not convenient for counsel, please notify my secretary and a new date and time will be established.) At this conference the Court will (among other things) set deadlines for completion of discovery, for the filing of dispositive motions, as well as set dates for the pretrial conference and the trial. *Counsel should also be prepared to discuss and hopefully agree at the conference upon the most appropriate alternative dispute resolution option pursuant to Superior Court Civil Rule 16(b).*

*Note: if all counsel believe that a scheduling conference is not needed at this time because the parties have already initiated efforts to resolve this case and believe that such efforts may well be successful in the near future, counsel for plaintiff should advise the Court within two weeks of the date of this order that all parties believe a scheduling conference is not presently needed. That letter should also advise as to the type of Alternative Dispute Resolution being undertaken in this case. The Court will then indefinitely postpone the scheduling conference otherwise established in this order. In this event, plaintiff's counsel shall provide the Court with a further status report about this case within 60 days of the date of this order.*

Additional instructions are attached and incorporated into this Order.

DATED: February 1, 2014

\_\_\_\_\_  
Judge Vivian L. Medinilla

## **ADDITIONAL INFORMATION AND PROCEDURES**

Settlement Negotiations. The parties are required to actively engage in settlement discussion to determine whether the case may be resolved by settlement or any form of alternative dispute resolution contained within Civil Rule 16(b).

Dispositive Motions. All dispositive motions will be scheduled by obtaining a date and time from Judge Medinilla's secretary, Susan Judge, (302-255-0626). The approved date and time will be automatically canceled if the motion is not then filed within three days of obtaining the date from Mrs. Judge. The original motion and the response thereto shall be filed with the Prothonotary's Office and two courtesy copies delivered to Judge Medinilla in chambers. The motion and the response shall not exceed four pages in length and shall have a notice page indicating the date and the time of the argument. The response is due no later than **seven days** (excluding Saturdays, Sundays and holidays) prior to the argument date unless an earlier date is otherwise ordered. If no response is timely filed, the Court may deem the motion unopposed and grant the motion. No reply by the moving party is permitted unless otherwise ordered by the Court.

Routine Civil Motion. Judge Medinilla hears weekly routine civil motions on Tuesdays at 9:00 a.m. Motions must be filed **ten days** (excluding Saturdays, Sundays and holidays) prior to the noticed date for presentation. Responses are due no later than the close of business on the Wednesday prior to the motion presentation date. A courtesy copy of the response must be delivered to Judge Medinilla in chambers. If no response is timely filed, the Court may deem the motion unopposed and grant the motion. A motion to continue a trial date shall be scheduled as a routine motion.

Scheduling Conference. Counsel must attend the scheduling conference and trial counsel must attend the pretrial conference.

**Please refer to the New Castle County Superior Court Civil Case Management Plan (adopted February 17, 2000) for further information.**

**Revised: 7/21/08**