

STANDING ORDER FOR JUDGE BRENDAN A. O'BRIEN

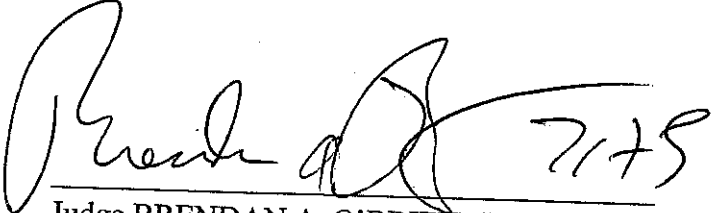
MOTION CALL "X" – ROOM 2205

1. All motions, including motions to compel discovery, are to be presented ONLY on case management conference (CMC) dates. If a CMC date has not been set, motions can be heard on the Regular Motion Call.
2. All motions to modify, vacate, alter, or extend CMC orders must be brought ONLY on CMC dates, not on the Regular or Emergency Motion Calls.
3. Please use the briefing schedule order designated for Motion Call "X" and note that all briefs are limited to **15 pages**; reply briefs are limited to **7 pages**. All briefs should be typed in 12-point and double spaced. Oral argument is available if requested. Oral arguments are heard at 11:30 AM, 1:30 PM, 2:00 PM, and 2:30 PM.
4. There are NO briefing schedules on: a) motions to dismiss under 2-615; b) motions to dismiss under 2-622; c) motions to compel discovery; d) motions for rulings on objections to discovery; and e) motions for rulings on certified deposition questions. Please continue these motions to a day when the judge is present.
5. On summary judgment motions and 2-619 motions, the court will screen for 191 discovery. If such discovery is necessary, the case will be continued to a future status date to allow for the completion of that discovery and the order will state what specific discovery is needed.
6. Courtesy copies are NOT accepted unless specifically ordered by the judge. Courtesy copies shall be submitted on the date set forth in the briefing schedule order. The court order must be attached or it WILL NOT be accepted.
7. Motions for withdrawal of attorney when there is no substituting attorney are NOT considered "routine motions." They are to be E-filed onto the motion call. Motions for substitution of attorneys ARE considered routine.
8. Emergency motions are to be signed up at 8:45 AM by the responsible attorney. They are heard at 9:00 AM. All responsible attorneys are to be present at that time. The motion **must be a true emergency or it will not be heard**; non-emergency motions will have to be spindled on the Regular Motion Call. As a general rule, an emergency is some circumstance which could lead to irreparable damage to a party if relief is not obtained prior to the time a party can be heard on the court's Regular Motion Call. **Motions to extend or compel discovery are not ordinarily emergencies.**

9. Notice requirements: Pursuant to Supreme Court Rule 12(c), (d), and (e), the service requirement for ALL motions is as follows: 5 FULL days by mail, NOT including Sundays or holidays; 3 days by hand delivery; and 2 FULL days by fax. Fax service is NOT valid until 9:00 AM the following business day.
10. Routine motions are ALWAYS done in the courtroom unless otherwise noted on the courtroom door.
11. Routine motions to extend time will not be granted if there has been a prior court order entered for the same purpose. No motion to extend time shall be granted unless good cause is shown and the extension is sought prior to the due date. If the judge ordered appearances, answers, or pleadings to be filed by a date, you cannot bring a motion on the routine call to file them past that date. Such motions must be put on the Regular Motion Call.
12. Routine orders for "HIPAA" authorizations must state in the title "Order pursuant to HIPAA." HIPAA protective orders are the ONLY protective orders that are routine. The HIPAA Order must be the form approved by the Presiding Judge of the Law Division or it will not be entered.
13. Failure to provide the clerk with orders on the call WILL result in the motion being stricken or the case being Dismissed for Want of Prosecution (DWP). **You DO NOT have to enter an order if the judge indicates a case is withdrawn or stricken.
14. ALL motions and orders giving leave to amend complaints and file counterclaims or third-party complaints MUST state what is being amended in the complaint (names of parties to be added, amending counts, etc.).
15. Dates must be put in the order (ex. December 5, 2006, not 14 days).
16. Motions for default are no longer special routines. These motions must be put on the Regular Motion Call. If the judge continues said motion to a specific date, the proper paperwork must be sent with the date given by the judge. Proof of notice, proof of service, and military affidavit are required.
17. Focus case management conferences will be heard on Wednesdays at 11:00 AM.
18. The judge is available for pre-trial conferences every afternoon at 12:00 PM – 3:00 PM depending on the court's scheduled hearings. The clerk will know what times are available. A pre-trial conference will only be held if: 1) an offer has been made; and 2) parties with authority must be available in person or by phone. Pre-trial memorandums are optional.

This is a work in progress and the Court welcomes helpful suggestions.

ENTERED:



Judge BRENDAN A. O'BRIEN #2175

DISCLOSURES PURSUANT TO SUPREME COURT RULE 63(c)

Judge O'Brien's prior law firm, Hinshaw & Culbertson, shall be an automatic recusal until December 7, 2019. The order is available in 2205. Judge O'Brien makes a Remittal of Disqualification pursuant to Supreme Court Rule 63(D) on all matters in which the above firm is either a party or representing party. All attorneys with knowledge of these individuals or firms' involvement in any matter pending on Calendar "X" should bring it to the court's attention.