

**COMMERCE AND COMPLEX LITIGATION CENTER
SUGGESTED RULES AND PRACTICES
HON. CHRISTINE WARD
414 GRANT STREET
COURTROOM 820
PITTSBURGH, PA 15219**

CONTACTS WITH THE COURT

- (1) Inquiries concerning Court procedures should be directed to one of the Judge's law clerks or secretary.
- (2) No counsel or party shall correspond with the Court by electronic mail unless specifically requested to do so. Requests for email correspondence shall come directly from Court personnel.

PRE-TRIAL MATTERS

- (1) Parties may prepare a Motion to Assign Case to the Commerce and Complex Litigation Center to be presented to Judge Ward if preliminary injunctive relief or other relief requiring a prompt hearing is sought. See Local Rule 249 (1).

Before filing the Motion to Assign, the parties may find it helpful to first communicate with the Judge's law clerks to ascertain the Court's availability and schedule.

- (2) Refer to Judge Ward's Motion Practice for rules regarding making and responding to motions.
- (3) Any party may request a case management or status conference with the Court and all counsel in order to address any difficult question of law, evidence or procedure that is anticipated to arise during the course of the litigation. Counsel shall meet and confer to resolve any discovery dispute prior to seeking court intervention. Case management orders will be entered when appropriate.
- (4) The Court welcomes pre-trial memoranda on issues of law pertinent to the matter before the Court. Parties are encouraged to stipulate to as much evidence and facts as possible.
- (5) Parties should consider the possibility of an early settlement of their disputes. Counsel shall notify judicial personnel immediately upon settling a matter to allow assignment of the cleared docket space to other litigants.

COURTROOM DECORUM

- (1) Professionalism and civility is expected of counsel, parties and witnesses.
- (2) To avoid disturbance and embarrassment, do remember to turn off or silence ringing cell phones or blackberries while Court is in session.
- (3) Counsel is expected to allow opposing counsel to finish their statements without interfering (other than objections) or talking at the same time.

EXHIBITS

- (1) Prior to trial, counsel are encouraged to prepare a tabbed exhibit binder containing the proposed exhibits that counsel plans to introduce through a witness or to otherwise introduce into evidence. The inclusion of an exhibit in the exhibit book does not impose any obligation to introduce the exhibit into evidence.
- (2) During the course of courtroom proceedings, copies of the exhibits are to be made available to opposing counsel and witnesses. Also, it would be helpful to provide additional copies of the exhibits to the Court for use by the judge, court reporter and the law clerk assigned to the case.
- (3) Following the conclusion of a hearing or trial, counsel are to stipulate as to which exhibits were introduced into evidence. Parties are to jointly file with the Department of Court Records copies of any exhibits to be entered into the record.

TRIAL / HEARING PROCEDURE

- (1) When a Court reporter is present, witnesses and counsel are instructed to speak loudly and slowly. When reading from a text or document, witnesses and counsel are reminded to speak slowly for the benefit of the Court reporter.
- (2) The trial judge is an active participant throughout the hearing or trial because the ultimate responsibility rests with the trial judge to provide the parties a fair and efficient trial.
- (3) The trial judge sets the ground rules and intervenes to ensure that the case is tried in accordance with these ground rules to ensure the fair, just and efficient resolution of proceedings.
- (4) Responsibility for the conduct of the trial squarely rests within the discretion of the trial judge. *See* the Comment to Pa. R.E.No. 611(a).

COMMERCE and COMPLEX LITIGATION CENTER

JUDGE WARD'S MOTIONS PRACTICE

The parties shall follow the following rules in making and responding to motions on any case assigned to this member of the Court:

1. Cases are assigned to the Commerce and Complex Litigation Center by a court order signed by Judge Ward or Judge Wettick. Motions to designate a case as complex where a plaintiff is seeking preliminary injunctive relief or other immediate relief are to be presented to Judge Ward. Motions seeking to designate a case complex where plaintiff is not seeking immediate relief are to be presented to Judge Wettick. See Local Rule 249(1).
2. In complex cases, preliminary objections, motions for judgment on the pleadings, and motions for summary judgment will be specially scheduled by order of court. Courtesy copies of all pleadings, motions, responses, replies and briefs shall be forwarded to chambers.
3. A motion shall state the factual and legal grounds for said motion. A motion shall be accompanied by a Proposed Order and a brief in support, except that briefs are not required for motions for extensions of time and motions for continuance. The rules governing page limits do not apply to dispositive motions in complex cases assigned to Judge Ward.
4. Responses to non-dispositive motions shall be filed within ten (10) days of service in the absence of a court directive providing otherwise.
5. Responses to dispositive motions shall be filed within thirty (30) days of service in the absence of a court directive providing otherwise.
6. A brief in opposition to a dispositive motion shall be filed at least ten (10) days prior to the argument in the absence of a court directive providing otherwise.
7. Reply briefs and sur-reply for dispositive motions may be filed without leave of Court.
8. Oral argument will generally be allowed. Counsel may agree to submit any motion on the papers.
9. Uncontested and Consent Motions may be either mailed or delivered to the Judge's chambers for signature.
10. All submitted documents shall use a font size not smaller than 12.

The following additional rules pertain specifically to discovery motions practice:

Counsel shall meet and confer to resolve any discovery dispute **without** judicial intervention. Where the matter is resolved and requires modification of the Case Management Order, the parties shall advise the Court and submit a Revised Stipulated Case Management Order for signature. If discovery issues remain unresolved, counsel may contact the Court to request a telephone conference. All discovery motions should attach a proposed Order and a Certificate indicating that the parties have discussed the dispute and were unable to come to a resolution. All memoranda on discovery issues shall be limited to five (5) pages. All discovery motions and responses shall be served on opposing counsel by facsimile, e-mail, or hand delivery on the same date the motion is filed with the Court.