

11.0 HEARING AND SUBMISSION OF MOTIONS

- (A) Motions, in general, shall be submitted and determined upon the motion papers. Oral arguments of motions may be permitted on application and proper showing.
- (B) The moving party shall serve and file with the motion a brief written statement of reasons in support of the motion and a list of citations of the authorities. If the motion requires consideration of facts not appearing of record, the movant shall serve and file copies of all affidavits, depositions, photographs or documentary evidence which the movant desires to submit in support of the motion.
- (C) Each party opposing the motion, except a motion for summary judgment, shall serve and file within seven (7) days thereafter, a brief written statement of reasons in opposition to the motion and a list of citations of the authorities which are relied upon. If the motion requires the consideration of facts not appearing of record, the respondent shall also serve and file copies of all affidavits, depositions, photographs or documentary evidence which the respondent desires to submit in opposition to the motion.
- (D) Reply or additional briefs upon motions and submissions may be filed with leave of the Court only upon a showing of good cause.
- (E) Objections to interrogatories shall include, immediately preceding any discussions and citation of authority, the interrogatory in full to which objection is made.
- (F) Counsel are encouraged to participate in pretrial discovery conferences to reduce, in every way possible, the filing of unnecessary discovery procedures. To curtail undue delay in the administration of justice, no discovery procedure filed under Rule 26 through 37 of the Rules of Civil Procedure to which objection or opposition is made by the responding party shall be taken under consideration by the Court, unless the party seeking discovery shall first advise the Court in writing that after personal consultation and sincere attempts to resolve differences they are unable to reach an accord. This statement shall recite those matters which remain in dispute, and in addition, the date, time and place of such conference, and the names of all participating parties. It shall be the responsibility of counsel for the party seeking discovery to initiate such personal consultation.
- (G) The presentation to the Court of unnecessary motions, and the unwarranted opposition of motions, which in either case unduly delay the course of an action through the Courts, subject an offender to appropriate discipline including the imposition of costs.
- (H) All pleadings and briefs containing references to statutes, or regulations, unpublished cases or cases from Courts outside of this state except U. S. Supreme Court decisions shall have attached a copy of the statute, regulations or case. A party who cites an unpublished opinion or case shall indicate any disposition by a superior appellate Court.
- (I) Unless otherwise ordered by the Court,
 - (1) A party opposing a motion for summary judgment made pursuant to civil rule 56 may file a brief in opposition with accompanying evidentiary materials (as permitted by civil rule 56 (c)) within thirty (30) days of service of the motion the movant may file a reply brief in support of

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the motion within ten (10) days of service of the brief in opposition. The movant's reply brief shall not refer to or include any additional evidentiary materials without agreement of the parties or leave of Court.

- (2) Unless otherwise ordered by the Court, motions for summary judgment shall be heard on briefs and accompanying evidentiary materials (as permitted by civil rule 56 (c)) without oral argument.

Amended 07/01/2003