

## RULE 14. Motions, Memoranda and Procedure Thereon

- (A) All motions shall be accompanied by a memorandum in support of the motion which shall be a brief statement of the grounds for the same, with citations of authorities relied upon, and (except in the case of an ex parte motion) proof of service in accordance with Civil Rule 5. All memorandum filed with a motion or in response thereto shall include page and document references for all factual assertions. (Amended effective April 15, 1993)
- (B) Any memorandum contra to said motion shall be served upon movant's trial attorney within fourteen days from the date the memorandum in support of the motion and proof of service thereof, was served. Any memorandum in support of the motion for summary judgment shall be served within twenty-eight days after service of the motion. Failure to serve and file a memorandum contra may be cause for the Court to grant the motion as served and filed. A reply memorandum may be served and filed within seven days of the service of memorandum contra. The time periods set forth in this paragraph B may be extended by the Court, for good cause shown, upon application therefor.
- (C) No motions in civil cases, will be set for oral argument unless:
- (1) A written request is made therefor by the moving party, or any other party, which request shall be noted conspicuously in the writing, or
  - (2) The Court directs the Assignment Commissioner to set such motion for oral argument

Upon receipt of such request from counsel, and at such counsel's direction, the trial judge may make whoever disposition the judge feels is proper or may set the matter for oral argument

### **(D) Discovery**

With respect to discovery, it shall be the policy of this Court to minimize resort to judicial intervention in the discovery process. It is also intended that Interrogatories and Requests shall not be filed with the Courts except in those cases where informal, out-of-court attempts at discovery are ineffective and it becomes necessary to file a Motion to Compel Discovery under the provisions of Rule 37 (A), Ohio Rules of Civil Procedure.

#### **(1) Consultation Among Counsel**

No objections, interrogatories, motions, applications or requests related to discovery shall be filed under the provision of Rules 27 to 37. In the Court unless counsel have exhausted all extrajudicial means for the resolution of differences.

## **(2) Motion to Compel Discovery**

To the extent that extrajudicial means have not disposed of the matter, the party seeking discovery may then proceed with the filing of a Motion to Compel Discovery under Rule 37. The motion shall be accompanied by a supporting memorandum which will state the movant's legal basis which would warrant an Order Compelling Discovery. The memorandum filed should be concise, addressing itself only to those relevant issues and should generally not exceed ten pages. The motion and memorandum shall also be accompanied by:

- (a) An affidavit of counsel setting forth what extrajudicial means have been attempted to resolve the differences; and
- (b) A copy of the Interrogatories, Applicant Requests, etc. which have previously been served pursuant to Ohio Rules of Civil Procedure. No interrogatories, applications or requests shall be filed in the Court except in connection with a Motion to Compel Discovery.

## **(3) Objection to Discovery Motion**

Objections to any Discovery Motion filed pursuant to Rule 37 shall be filed within the time specified, or if no time is specified, within the time specified in Rule 33. In all other respects, a Motion to Compel Discovery will be treated as any other motion under these rules.

**Effective: (March 1, 2023)**