

**COMMERCE PROGRAM CASE MANAGEMENT**  
**ADVICE TO COUNSEL**

1. Prior to the Case Management Conference, please be sure to fully complete your Case Management Memorandum, including the **selection of proposed Commerce Program Judges *Pro Tempore***. These individuals are used, not only in the event of mediation, but also may be contacted to conduct the mandatory settlement conference event set forth in the Case Management Order.
2. You will receive a **scheduling order** in the mail following the Case Management Conference.
3. **Discovery disputes** in cases before **Judge Albert Sheppard** will be heard every Monday at 9:00 a.m. in 513 CH; **Judge Mark I. Bernstein** every Monday at 9:30 a.m. in 246 CH; and **Judge Howland W. Abramson** every Tuesday at 9:30 a.m. in 443 CH.
4. **Do Not Send Courtesy Copies to the Judge** (unless specifically requested).
5. **Do Not Litigate By Letter or Fax and Do Not Carbon Copy the Judge on Correspondence Between Counsel.** Issues or arguments raised via letter do not appear on the docket and are not part of the record. Accordingly, such communications will not be considered.
6. Be sure to follow both the **Pennsylvania Rules of Civil Procedure** and the **Philadelphia Rules of Court** in connection with all filings. As per the Philadelphia Court Rules, attorney/firm names are not to appear on any proposed orders. Please be cognizant of when Rules to Show Cause are required and attach them accordingly. Should you have any questions regarding any of the judges' individual policies, please contact chambers directly.
7. Because cooperation and civility between counsel is encouraged, the court will permit **voluntary agreements** to extend deadlines or in connection with discovery. However, this is done at counsel's risk. If a voluntary agreement breaks down, the court will not examine the respective positions of the parties or adjust any court ordered deadlines based on such voluntary agreement. The court will adjust event deadlines *only* upon the filing of a **Petition for Extraordinary Relief** in advance of the pertinent deadline expiration date. Generally, brief extensions of time will be granted for good cause. Petitions for Extraordinary Relief filed after the deadline expiration date will be dismissed.
8. The pendency of **Preliminary Objections** does not mean that there is a stay of discovery. The parties are advised to conduct discovery while awaiting a decision on Preliminary Objections. If a formal stay is necessary, the parties should petition the court accordingly.
9. **Mediation** is encouraged. Deadline extensions will be granted to permit the completion of mediation entered into in good faith.
10. **Oral argument** on motions will be conducted at the court's discretion.
11. **Settlement Conference and Pre-Trial Memoranda** must be submitted on time to 521 CH (*not* 691 CH) 10 days prior to the date of the scheduled conference.
12. All Commerce Program Opinions, forms, administrative orders, updated lists of Judges *Pro Tempore*, contact information for the Commerce Program Judges and Law Clerks, as well as other information pertinent to Commerce Program can be accessed on the Commerce Program website at <http://courts.phila.gov/common-pleas/trial/civil/commerce-program.html>