

# **Arbitration Appeal Program**

**ARBITRATION APPEAL PROGRAM  
COMPLEX LITIGATION CENTER  
ROOM 622 CITY HALL**

The Arbitration Appeal Program is administered at the Complex Litigation Center, 622 City Hall, Philadelphia, under the direction of Coordinating Judge, The Honorable Sandra Mazer Moss. Questions concerning this program may be addressed to Stanley Thompson, Esquire, Complex Litigation Center, at (215) 686-5100 (voice) or (215) 686-5137 (facsimile).

**Case Management**

Upon filing an appeal from arbitration with the *Prothonotary*, an omnibus “Notice of Appeal from The Board of Arbitrators and Case Management Order” is placed on the docket and served on all parties. See attached sample Case Management Order. The Case Management Order provides for trial attachment for all counsel and parties to take place during a designated “trial pool month,” approximately six (6) months from the arbitration appeal filing date. For example, if an arbitration appeal is filed in March 2010, the case would likely be placed into the September 2010 trial pool. The Case Management Order also establishes deadlines for completion of discovery, production of expert reports, filing of pre-trial and dispositive motions and motions *in limine*.

Requests, for good cause only, to extend the deadlines set forth in the Case Management Order must be made by filing a Motion for Extraordinary Relief.

**Mandatory Pre-Trial Settlement Conference**

The Case Management Order contains a projected pre-trial settlement conference date. The Court will issue a separate notice of the actual pre-trial settlement conference date at least thirty (30) days prior to the conference. This conference is mandatory. All parties *must* complete a pre-trial settlement conference memorandum to be filed with the Complex Litigation Center no later than ten (10) days prior to the settlement conference.

All memoranda must be filed in person or via mail. The Court will not accept memoranda sent via facsimile. The Case Management Order sets forth what information must be included in the memoranda.

Failure to attend the conference or to timely file pre-trial settlement conference memoranda may result in the imposition of monetary sanctions in the sum of \$100.00 or other appropriate sanctions.

## **TRIAL POOL PROCEDURES**

### **Notice**

Counsel and all parties will be attached for trial on a “next-day minimum” basis. Accordingly, counsel and all parties should anticipate receiving a telephone call from Court staff with trial attachment instructions. (For example, counsel could be called at 3:00 p.m. on a Monday and instructed to report for trial the next day, Tuesday, at 9:30 a.m.) Counsel shall be trial ready for the duration of the trial pool month.

**IMPORTANT:** it is the responsibility of counsel and unrepresented parties to update the Court with any change in contact information, including telephone numbers and addresses.

All counsel and parties *must* immediately notify the Court in writing of any scheduling conflicts, including trial attachments, and are under a continuing obligation to notify the Court of any subsequent trial attachments during the trial pool month. The Court will not recognize any untimely conflict notifications. Written notification of conflicts must be addressed to The Honorable Sandra Mazer Moss, attention: Stanley Thompson, Esquire, Complex Litigation Center, 622 City Hall, Philadelphia, PA 19107. Correspondence may also be sent via facsimile to (215) 686-5137.

### **Publication**

The trial pool list is periodically published in *The Legal Intelligencer* and is posted on the Court’s website at <http://courts.phila.gov>, under “Search Court Records/Court of Common Pleas/Search Trial Division—Civil Hearing List.”

### **Continuances**

Requests for trial continuances may be requested under exigent circumstances *only*. These requests must be made by way of Motion for Extraordinary Relief. All Motions for Extraordinary Relief are assigned to the Coordinating Judge for review and consideration.

### **Motion Practice**

The Motion procedures are consistent with those set forth in the Pennsylvania Rules of Civil Procedure and the Philadelphia Local Rules. Motions for Extraordinary Relief must be filed for requests to continue a trial and for requests to extend Case Management Order deadlines.

### **Jury Selection**

Jury selection is conducted at the Complex Litigation Center pursuant to the direction of the Coordinating Judge.

IN THE COURT OF COMMON PLEAS  
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
PHILADELPHIA COUNTY

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**Notice of Appeal  
From the Report and Award of the Arbitrators**

Notice is given that (Appellant) appeals from the award of the board of arbitrators entered in this case. It is hereby certified that the compensation of the arbitrators has been paid.

**Case Management Order**

Pursuant to Administrative Docket of 1998, an Appeal from the Report and Award of Arbitrators having been filed in the above-captioned matter the case management and time standards adopted for arbitration appeal matters shall be applicable to this case and are hereby incorporated into this Order.

1. All discovery shall be completed no later than (Date).
2. Plaintiff's expert report (if applicable), including any supplemental report is to be served on opposing counsel and/or opposing party on or before (Date).
3. Defendant's expert report is to be served on opposing counsel and/or opposing party on or before (Date).

All pre-trial and dispositive motions must be filed no later than (Date).

4. A mandatory pre-trial settlement conference will be scheduled any time after (Date).

**EARLIER LISTINGS WILL BE SCHEDULED AT THE DISCRETION OF THE COURT. FAILURE OF ANY PRO SE PARTY OR COUNSEL TO APPEAR AT THE MANDATORY PRE-TRIAL SETTLEMENT CONFERENCE WILL RESULT IN THE IMPOSITION OF APPROPRIATE MONETRAY SANCTIONS.**

5. Notice will be sent to all parties at least 30 days in advance of the conference. Ten (10) days prior to the conference, all counsel shall file with the Complex Litigation Center, 622 City Hall, Philadelphia, PA 19107, and serve upon all opposing counsel a pre-trial settlement memorandum containing the following:
  - (a) A concise summary of the nature of the case if plaintiff or the defense if defendant or additional defendant;
  - (b) A list of all witnesses who may be called to testify at trial by name and address. Counsel should expect witnesses not listed to be precluded from testifying at trial;
  - (c) A list of all exhibits the party intends to offer into evidence. All exhibits shall be pre-numbered and shall be exchanged among counsel prior to the conference. Counsel should expect any exhibit not listed to be precluded at trial;
  - (d) Plaintiff shall list an itemization of injuries or damages sustained together with all special damages claimed by category and amount. This list shall include as appropriate, computations of all past lost earnings and future lost earning capacity or medical expenses together with any other unliquidated damages claimed; and
  - (e) Defendant shall state its position regarding damages and shall identify all applicable insurance carriers, together with applicable limits of liability; and
  - (f) Each counsel shall provide an estimate of the anticipated length of trial.

All memoranda must be filed with the Court in person or via mail. The Court will not accept any memoranda sent via facsimile. **FAILURE TO TIMELY FILE A PRE-TRIAL SETTLEMENT CONFERENCE MEMORANDUM WILL RESULT IN THE IMPOSITION OF APPROPRIATE MONETARY SANCTIONS.**

All Motions in Limine shall be filed in accordance with electronic filing procedures not later than fifteen (15) days prior to the start of trial. Responding counsel shall have ten (10) days thereafter to file any response. For pool cases the start of trial is defined as the first day of the trial pool listing.

It is also Ordered that all counsel and parties are hereby attached for the (Pool Month) 2010 Trial Ready Pool and counsel should anticipate trial to begin expeditiously thereafter. All counsel and parties must immediately notify the Court in writing of any scheduling conflicts, including trial attachments and pre-paid vacations, and are under a continuing obligation to notify the Court of any subsequent trial attachments during the trial pool month. The court will not recognize any untimely conflict notifications. Failure to notify Court of scheduling conflicts will result in the imposition of appropriate sanctions.

If a jury trial has been perfected as stated in the Notice of Appeal portion of this Order, an agreed upon jury charge and an agreed upon jury verdict sheet must be

presented to the trial judge at the time of jury selection. If a jury trial has not been perfected it is deemed waived.

Requests to extend any case management deadline must be submitted by filing a Motion for Extraordinary Relief and filed prior to the expiration of the deadline in question.

All counsel are under a continuing obligation and are hereby Ordered to serve a copy of this order upon all unrepresented parties and upon all counsel entering an appearance subsequent to the entry of this order.

Counsel should have substitute counsel prepared to conduct settlement conference and/or trial where practicable.

Any requests for trial continuance must be made by Motion for Extraordinary Relief. Any requests for a date-certain trial listing must be submitted in writing with specificity, with a copy to opposing party, and directed to the Honorable Sandra Mazer Moss, Coordinating Judge, via facsimile (215-686-5137) or US Mail (622 City Hall, Philadelphia, PA 19107). However, said requests may be made only under exigent circumstances.

**BY THE COURT:**

**SANDRA MAZER MOSS  
COORDINATING JUDGE  
COMPLEX LITIGATION CENTER**