

**First Judicial District of Pennsylvania
Court of Common Pleas of Philadelphia County
Trial Division – Civil Section**

NOTICE TO THE ASBESTOS BAR

REVISED ASBESTOS SUMMARY JUDGMENT MOTION PROCEDURES

Following is the Asbestos Summary Judgment Motion Procedure as revised on June 12, 2006.
All prior asbestos summary judgment motion procedures are to be considered obsolete.

1. All summary judgment motions shall be filed fifty (50) days prior to jury selection.
2. Motions should be in letter-brief rather than motion package format. Its caption must specify the type of litigation and the name of opposing counsel. **THE FILING AND RESPONSE DATES MUST BE PROMINENTLY DISPLAYED ON THE FIRST PAGE OF THE MOTION.** Facts, issues and pertinent case law shall be briefly outlined. Each motion must include a proposed order, a self-addressed stamped envelope, and a signed Attorney Certification of Good Faith.
3. The Certification shall attest that certifying counsel has spoken with opposing counsel regarding the summary judgment motion in an attempt to resolve the specific issue in dispute, and that despite counsel's good faith efforts, has been unable to do so.
4. The moving party must first present the original motion to the Prothonotary Cashier for payment, Room 282, City Hall. Thereafter, the motion is to be filed with the Civil Motions Clerk, Room 296, City Hall, where it will be time stamped and assigned a control number. **ALL ORIGINAL MOTIONS SHALL REMAIN WITH MOTIONS COURT.**
5. The moving party must serve opposing counsel and all interested parties with a copy of the motion the same day by facsimile or hand delivery. **THE SERVED COPY MUST HAVE THE CONTROL NUMBER CLEARLY DISPLAYED ON THE MOTION.**
6. Upon receipt, opposing counsel shall have seventeen (17) days in which to file a response to the motion. The original response must be filed with the Civil Motions Clerk, Room 296, City Hall. **THE RESPONSE MUST CLEARLY DISPLAY THE CONTROL NUMBER OF THE CORRESPONDING MOTION ON THE FIRST PAGE OF THE RESPONSE.** There is no fee for filing a response. The responding party must serve the moving party and all other interested parties with a copy of the response the same day by facsimile or hand delivery.
7. If the Motion is unopposed, or withdrawn, a letter stating same must be forwarded to the Civil Motions Program, Room 296, City Hall. **THE LETTER MUST CLEARLY DISPLAY THE CONTROL NUMBER OF THE MOTION.** The moving party and all interested parties must receive a copy the same day by facsimile or hand delivery.
8. A reply by the moving party, if any, shall be filed with the Civil Motions Clerk, Room 296, City Hall, no later than 4:30 p.m. on the fifth day after receipt of the opposition. **THE REPLY MUST CLEARLY DISPLAY THE CONTROL NUMBER OF THE CORRESPONDING MOTION ON THE FIRST PAGE.** The moving party must serve opposing counsel and all interested parties with a copy of the reply the same day by facsimile or hand delivery.
9. The Court will rule on all pending summary judgment motions in a timely manner prior to jury selection.

10. The Court will docket the original signed order and mail a copy of the signed order to the moving party via the self-addressed stamped envelope. The moving party is responsible for serving all parties with a copy of the order.
11. Oral argument on Motions will be scheduled by the Court as needed.

Hon. James J. Fitzgerald, III
Administrative Judge

Hon. Paul P. Panepinto
Coordinating Judge