

**PROCEDURAL ORDER OF THE BUSINESS LITIGATION SESSIONS REGARDING  
REPLY MEMORANDA**

The undersigned judges of the Superior Court, who are assigned to sit in the Business Litigation Sessions of the Superior Court during calendar year 2008, jointly adopt the following Procedural Order regarding reply memoranda:

Leave of court is hereby granted to a moving party filing any motion in the Business Litigation Sessions pursuant to Superior Court Rule 9A to file a reply memorandum, provided that the reply memorandum:

1. shall not exceed ten typed double-spaced pages,
2. shall be filed with the motion, opposition, and all other papers within ten days of receipt of the opposition, and
3. shall be limited to addressing matters raised in the opposition that were not and could not reasonably have been addressed in the moving party's initial memorandum.

This Procedural Order does not extend to any reply memorandum exceeding ten pages in length, or to any sur-reply or subsequent memorandum. Any party seeking to file such a memorandum must seek specific leave of Court in the manner provided by Superior Court Rule 9A(b)(4).

We remind all counsel that it is our practice to read all memoranda carefully, and that repetition is neither helpful nor persuasive; a reply memorandum need not restate factual or procedural background, and is not an occasion for repetition of arguments already presented, or for initial presentation of arguments that could have been included in the initial memorandum. Nor should anyone infer from this Procedural Order that we routinely need or expect a reply memorandum as part of routine motion practice.

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Ralph D. Gants  
Justice of the Superior Court  
Business Litigation Session I

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Judith Fabricant  
Justice of the Superior Court  
Business Litigation Session II

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Stephen E. Neel  
Justice of the Superior Court  
Business Litigation Session II

DATE: January 2, 2008