

Revised February 10, 2021

**CHAMBERS PROCEDURES FOR
JUDGE JOHN T. DORSEY**

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UNTIL FURTHER NOTICE, HAND DELIVERIES ARE NOT ACCEPTED

**THE COURT DEMANDS OF ITSELF AND THE LAWYERS WHO APPEAR
BEFORE IT COURTEOUS AND PROFESSIONAL CONDUCT**

See Principles of Professionalism for Delaware Lawyers; and
Principles of Professionalism for Delaware Judges

Please also refer to the General Chambers Procedures
which are applicable to all Judges

APPEARANCES BY ZOOM AND TELEPHONIC REQUESTS

Until further notice, **all hearings** will be conducted through Zoom. **No participation through CourtCall.** Please refer to the filed Agenda on CM-ECF to obtain the Zoom link information or contact Chambers if unable to access CM-ECF.

***ALL PARTICIPANTS ARE REQUIRED TO REGISTER PRIOR TO THE HEARING
USING THE ZOOM LINK PROVIDED ON THE AGENDA***

***YOU MUST REGISTER WITH YOUR FULL NAME
OR YOU WILL NOT BE PERMITTED INTO THE ZOOM HEARING***

Persons without internet access may contact Chambers staff to request the toll-free number to appear telephonically. Please contact Chambers at least one business day prior to the scheduled hearing.

SCHEDULING AND HEARING PROCEDURES

1. Hearings are scheduled for one hour. If parties require more than one hour, scheduling arrangements must be made with Judge Dorsey's chambers well in advance.
2. Omnibus hearings will be conducted on Tuesdays, Wednesdays and Thursdays unless emergency or time sensitive matters require otherwise. Omnibus Hearings are scheduled for one hour. If the need arises for more time, please contact Chambers immediately to inquire whether the calendar permits or if the hearing needs to be rescheduled.
3. Hearings will conclude for the day not later than 4:45 p.m., subject to Judge Dorsey's determination that it is necessary to continue. Parties should plan accordingly.

4. Presentation of Revised Proposed Orders – If a movant intends to present a proposed form of order to the Court that contains revisions to the original proposed form of order submitted with its motion, counsel for the movant shall endeavor to provide to the Court the revised form of order in clean and redline form at least 1 hour prior to the hearing.

WITNESSES, TESTIMONY AND DOCUMENTARY EVIDENCE

1. Presentation of Live Witness Testimony A party sponsoring a witness or witnesses must provide by email to all relevant parties and the Court as soon as possible, but no later than 2 hours prior to the hearing, the following for each witness:

- a. The name of the witness and the relevant motion for relief.
- b. Whether in the first instance direct testimony of the witness will be presented by declaration or proffer. If by declaration when such declaration will be filed. Please note that if the witness will submit a declaration, the declaration should be available to the witness during testimony.
- c. The location of the witness (city, state, country).
- d. A description of the place from which the witness will be testifying (e.g., “home”, “office” – specific addresses shall not be provided).
- e. Whether anyone will be in the room with the witness during his/her testimony and, if so, who (name/title/relationship to witness) and for what purpose.
- f. Whether the witness will have any documents with him/her and, if so, what documents.
- g. The party or parties who may seek to cross examine the witness and their respective counsel.

2. Presentation of Documentary Evidence

- a. All parties intending to introduce documentary evidence must supply a list of exhibits with reference to the applicable CM/ECF docket number. If an exhibit is not on the docket, please supply such exhibit by email (in .pdf format) to all relevant parties and to the Court as soon as possible, but no later than 2 hours before the hearing.
- b. If necessary, the party sponsoring a witness will be responsible for ensuring that any relevant exhibits are supplied to the witness ahead of the hearing.

If parties intend to call witnesses at a hearing, they must file and submit their intention to do so at least 24 hours prior to the hearing. The filing must contain the identity of each witness and the scope of testimony. After filing, e-mail a copy of the witness list to Chambers. Witnesses must appear in person via Zoom. No testimony will be permitted by telephone.

4. Scheduled Trials will be removed from Judge Dorsey’s calendar unless the plaintiff or moving party advises Chambers two weeks in advance of the scheduled date in writing, docketed and submitted to Chambers, that it is going forward. This means that absent being advised by counsel as directed above that a trial will proceed, Judge Dorsey will assume the matter has been settled or is being adjourned.

BINDERS AND AGENDAS

First Day / Second Day Hearings: Please provide Chambers with virtual, hyperlinked hearing agendas and any pleadings filed thereafter.

Agendas are required to be filed and e-mailed 48 hours prior to the scheduled hearing. Please contact Chambers if there will be a delay. Counsel is encouraged to notify the courtroom deputy when filing an Amended Agenda. Please contact chambers prior to scheduling, changing or cancelling a hearing.

Fee Application Binders: In advance of fee hearings, parties are **required** to provide Chambers with **a single consolidated electronic binder**, in the format of a **searchable PDF file**, containing copies of all fee applications under consideration, including supporting documentation such as individual monthly fee applications. An index with hyperlinks to the docket will no longer be sufficient. Hard copies will not be accepted.

Completion of Briefing Binders: Completions of Briefing must be filed containing hyperlinks for **all** relevant pleadings. After filing, please e-mail Chambers a copy of the hyperlinked Completion of Briefing.

Matters Under Advisement: Parties are invited to inquire by telephone, after a reasonable time under the circumstances of the matter at issue, into the status of matters pending decision or taken under advisement.

CITING UNPUBLISHED LEGAL AUHORITY

When filing a motion or brief citing to a ruling that is both (1) from a court outside of this jurisdiction; and (2) in a form other than a written opinion readily available on Lexis or Westlaw (e.g. transcripts containing bench rulings), **a copy of the ruling, in its entirety, must be provided to the Court as an exhibit to the motion or brief.**

PRETRIAL AND TRIAL PROCEDURES IN NON-PREFERENCE ADVERSARY PROCEEDINGS AND CONTESTED MATTERS

In addition to the provisions of the General Chambers Procedures applicable to adversary procedures, please review the forms for Scheduling Order, Scheduling Order (All Other Matters), Final Pretrial Order and Trial Procedures.

PRETRIAL AND TRIAL PROCEDURES IN PREFERENCE CASES

The procedures for preference cases are contained in the General Order, dated November 16, 2009. The goal is to maintain consistency among the judges of the Court and therefore the Order is virtually identical to the Orders entered by Judge Sontchi.

CNO'S AND PROPOSED ORDERS

Proposed Orders will only be considered after an e-order has been uploaded. Please refer to the learning module on the Court's website for assistance in uploading and/or replacing e-orders.

1. Certificates of No Objection; CNO's may be submitted 24 hours after the response deadline. The related E-Order must be uploaded at the time of filing CNO.*
2. Motions to Shorten – If you anticipate filing an objection to a Motion to Shorten, please advise Chambers within 24 hours after the Motion to Shorten is filed.
3. Motions to Appear Pro Hac Vice: The form of the Motion and related e-order must comply with Local Form 105 and uploaded into CM/ECF. Note: Paper copies of Pro Hac Vice Motions are not accepted.
4. Omnibus Hearing Date Orders – Please confer with Chambers to obtain dates before filing a Certification of Counsel and proposed Omnibus Hearing Date Order. **Please refer to previous paragraph titled Hearing and Scheduling Procedures prior to contacting Chambers for a hearing date.**

* **For step by step instructions on uploading E-Orders, please review the electronic learning module under CM/ECF Attorney Training on the Court's website.**