Supreme Court of Kentucky

ORDER

IN RE: ORDER APPROVING THE LOCAL RULES OF PRACTICE AND PROCEDURE FOR THE 38TH JUDICIAL CIRCUIT, DIVISION 1 COURTS, BUTLER, EDMONSON, HANCOCK, AND OHIO COUNTIES

Upon recommendation of the Judges of the 38th Judicial Circuit and District, and being otherwise sufficiently advised,

The Local Rules of Practice and Procedure for the 38th Judicial Circuit, Division 1, Butler, Edmonson, Hancock, and Ohio counties, are hereby approved. This order shall be effective as of the date of this Order, and shall remain in effect until further orders of this Court.

Entered this the 16th day of July 2015.

CHIEF JUSTICE JOHN D. MINTON, JR.

LOCAL RULES OF THE 38TH JUDICIAL CIRCUIT

DIVISION I

OHIO, BUTLER, HANCOCK, AND EDMONSON COUNTIES

PURPOSE

These Local Rules are applicable for Division I of the 38th Judicial Circuit and shall become effective after the date hereof and upon certification by the Chief Justice of the Supreme Court of Kentucky. These rules may be cited as CLR-38-_____ or as Local Rules of the 38th Judicial Circuit. (This method of citing these local rules is to differentiate from the Family Court Local Rules of the 38th Judicial Circuit which are to be cited as LR 38.)

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CLR 38 - 1

MOTION DAYS

Motion Days in the 38th Judicial Circuit shall, unless otherwise ordered, be held as follows:

(1) In **BUTLER COUNTY** on the **second Tuesday of each month** beginning at 9:00 a.m. All civil motions shall be noticed for 9:00 a.m., and all criminal motions for 10:00 a.m. Criminal pretrials with Defense Attorneys and the Commonwealth's Attorney shall be held at 9:00 a.m. in the jury room.

(2) In **EDMONSON COUNTY** on the **third Monday of each month** at 9:00 a.m. All civil motions shall be noticed for 9:00 a.m. and all criminal motions at 10:00 a.m. Criminal pretrials with Defense Attorneys and the Commonwealth's Attorney shall be held at 9:00 a.m. in the jury room.

(3) In **HANCOCK COUNTY** on the **fourth Tuesday of each month** at 9:00 a.m. All civil motions shall be noticed for 9:00 a.m. and all criminal motions shall be noticed for 10:00 a.m. Criminal pretrials with Defense Attorneys and the Commonwealth's Attorney shall be held at 9:00 a.m. in the grand jury room.

(4) In **OHIO COUNTY** on the **first and third Tuesday of each month** at 9:00 a.m. All civil motions shall be noticed for 9:00 a.m. and all criminal motions shall be noticed for 10:00 a.m. Criminal pretrials with Defense Attorneys and the Commonwealth's Attorney shall be held at 9:00 a.m. in the jury room.

5) If an attorney determines that he or she will be late for Court, that attorney should call the Clerk's Office or the Judge's Office to inform the Court that he or she will be late.

CLR 38 - 2

MOTION PRACTICE

(1) Motions involving an emergency, which could possibly cause irreparable harm or injury to persons or property by delay in waiting until the next regularly scheduled motion day in the proper county, may be heard at a regularly scheduled motion day in one of the other counties of the Circuit with the Court's approval.

(2) Also, emergency type motions may be heard on a limited basis by the Court in chambers at other times when the Court's schedule permits and with prior oral approval of the Court. In such instances the Court will make the decision as to whether or not the issue constitutes an emergency.

(3) To facilitate the preparation of motion day dockets, all motions shall be filed, served and received in the Clerk's Office by the close of business on the third business day prior to motion day. The Circuit Clerk of each county is hereby ordered to omit from the docket all motions that are not filed in accordance with this rule. (Saturday and Sunday are not considered business days for purposes of this rule.)

(4) The moving party shall file with the motion a proposed order to be entered and serve the order, together with the motion, on all other attorneys of record, or the parties if unrepresented, within a reasonable time, but generally, in hand service, within three (3) days.

(5) Motions by default may be brought before the Court at any time at the convenience and discretion of the Court.

(6) Motions which are noticed for a particular motion day, and upon which the movant's attorney does not appear to argue in support of said motion, shall be summarily overruled by the Court unless prior arrangements have been made. The exceptions for this rule are for agreed orders, default judgments, and orders as set out in paragraph (7) below.

(7) All motions **that do not require a hearing** may now be filed pursuant to CR 78(2). The notice of any motion filed under this rule shall state the following:

"This motion is filed pursuant to CR 78(2). In order to expedite the business of the court, the movant does not request an oral hearing on this motion. This motion has been served upon all parties, including the client. In order to allow time for written objections or requests for an evidentiary hearing to be filed in this matter, the Clerk shall place this motion on the next

available motion day after ten (10) days from the date of filing. Should no written objections be filed at that time, the Court may enter the attached tendered order."

If written objections are filed, the party(ies) filing said objection(s) shall send notice to all parties to appear before the Court at the next regularly scheduled motion day.

No order shall be entered without compliance to the above-referenced notice requirement.

CLR 38 - 3

CIVIL ORDERS TO BE SIGNED IN CHAMBERS

(1) When a court ruling has been made in any case where the tendered order does not accurately reflect the Court's ruling, the prevailing party shall prepare the proper order and tender to the Court personally or by U.S. mail or e-mail within five (5) business days.

(2) In instances covered by Paragraph (1) above, the order may contain a "Have Seen" and the signatures of other attorneys of record and, if the order meets with the Court's approval, shall be signed without delay. Orders not containing a "Have Seen" shall contain a certificate of service showing that all attorneys of record have been served with a copy and such orders will be held by the Court for three (3) days after receipt thereof to allow opposing counsel to make their objections to the order before signing and entry.

(3) In cases covered by Paragraph (2) above when objections are filed to the tendered order and when in the Court's opinion merits a hearing, the objections shall be heard at a time set by the Court on its own motion or by agreement of the parties with the prior approval of the Court.

CLR 38 - 4

DISTRIBUTION OF ORDERS

The Circuit Clerk of each Court shall distribute copies of all judgments and orders signed by the Judge by mail or delivery to the persons listed under distribution or similar language and shall certify mailing or delivery by making a check mark by the person listed and shall initial and date the same at the bottom of the distribution list. All orders shall contain a distribution list or language similar to that as set out in the following example:

[ ] Hon. John Doe
P.O. Box 111
Hartford, KY 42347

[ ] Hon. Jane Smith
111 Center Street
Hartford, KY 42347

_____
(Clerk's initial & date)

In criminal cases, the Clerk shall specify mode of delivery of judgments and final sentencing orders.

CLR 38 - 5

AGREED ORDERS

All agreed orders shall be forwarded to the Clerk of the respective Court for the Judge's signature without the necessity of noticing the same for placement on the motion day docket. Agreed Orders may also be mailed to the Court for its signature either by U.S. Mail or E-mail. E-mail orders shall be considered as original orders. The attorney sending an E-mail order shall certify that it is an agreed order or send a copy of an E-mail from the other party(ies) attorney(s) that she or he agrees to the order.

CLR 38 - 6

SETTING CASES FOR TRIAL

(1) Division One of the 38th Judicial Circuit is a court of continuous session and both criminal and civil trials shall be scheduled at the discretion of the Court. No cases will be scheduled during the Circuit Judges' Judicial College (usually in September or October of each year) nor the Kentucky Bar Association's Annual Convention (usually the 3rd week of June of each year).

(2) No cases will be set for trial without motion and notice by the moving attorney.

(3) Civil and criminal cases in this circuit shall be scheduled primarily for trial on Wednesday, Thursday, or Friday of each week. Civil and criminal motions that need a hearing date separate from a motion day shall be heard, primarily on Mondays of each week.

(4) Bench trials that are not expected to last for more than a day shall be primarily set on Mondays.

(5) A civil case(s) or a criminal case(s) may be scheduled for the same day and should this occur, the criminal case shall take priority over the civil case.

CLR 38 - 7

ARRAIGNMENT OF CRIMINAL DEFENDANTS

At the arraignment of a criminal defendant, a trial date, pretrial conference date, and a discovery pretrial date shall be scheduled. At the pretrial conference, the Defendant and his/her attorney shall be present and shall meet with the Commonwealth's Attorney to discuss the issues in the case, possible disposition, and/or whether the case will be tried on the scheduled trial date.

CLR 38 - 8

PRETRIAL CONFERENCES

(1) Pretrial conferences may be held at any time during the pendency of an action in the Court's discretion upon the motion of either party.

(2) A final and mandatory pretrial conference for both criminal and civil cases shall be scheduled by the Court and shall be held on the motion day prior to the date on which that case is assigned for trial. All criminal defendants and the attorneys in both the criminal and civil cases shall be present for consideration for the following matters:

(a) To hear and decide all pending motions and evidentiary issues which may arise before the Court;

(b) To tender proposed instructions to the Court and opposing counsel;

(c) To discuss the nature of the case, the theories of the parties, admitted facts, the ultimate facts which will be disputed, and the points of law to be passed upon by the Court;

(d) To estimate the time required for a trial;

(e) To discuss the possibility of settlement and/or plea; and

(f) To discuss any other matter relevant to the trial of the action.

(3) A pretrial order for civil cases setting out the deadlines for the attorneys may be entered by the Court at the time the matter is set for trial. (A copy of the pretrial order that this Court is presently using is on page 23).

(4) A party in a civil case may appear by telephone if approved by the Court prior to the pretrial conference.

CLR 38 - 9

DISMISSAL OF CIVIL ACTIONS [CR 77.02(2)]

(1) When any civil action has remained on the docket for one (1) year without any steps being taken indicating an intention to prosecute said action, the Court on its own Motion or on the Motion of either party may dismiss the action for want of prosecution at the cost of the Plaintiff. It shall be the duty of the Clerk to serve notice to counsel of record for all parties who have appeared, or to the parties if a mailing address is known, notifying each party of such intention. If notice is given and the attorneys or parties fail to take any action pursuant thereto, an order of dismissal shall be entered as a matter of course at the expiration of thirty (30) days from service of notice to dismiss. Notice of the entry of an order of dismissal shall be given by the Clerk to the attorneys of record, who have appeared in the case or to the parties, if unrepresented.

(2) A dismissal of an action under this rule shall be without prejudice and so specified in the order of dismissal, and such dismissal shall be subject to all provisions of Statutes of Limitations.

(3) A party objecting to dismissal shall file a written objection to the dismissal prior to the scheduled date of dismissal and shall appear to argue the objection to the dismissal.

CLR 38 - 10

MEDIATION

Cases may be referred to mediation upon request of either party. Upon referral, an order shall be entered selecting a mediator and the date upon which the mediation conference is scheduled, and that attendance of the parties and their attorneys is mandatory at the mediation conference. The mediator shall file a report with the Court setting out the results of the mediation conference. At this time, the Court's staff attorney, who is a trained mediator, is available to mediate all civil cases without costs to either party. All attorneys, or the parties if unrepresented, must agree to use the Court's staff attorney to mediate these cases.

CLR 38 - 11

SCHEDULED HEARINGS

All motions which require a hearing with testimony from a witness(es) shall be assigned a specific date for that hearing and the hearing shall not be held on a motion day. The date for the hearing will be scheduled at the motion day upon which the motion was docketed.

CLR 38 - 12

REMOVAL OF FILES

Except for confidential matters, files or records in any civil or criminal proceeding in this Circuit may be removed from any Clerk's Offices with permission of the Clerk and as provided by the Kentucky Rules of Procedure.

CLR 38 - 13

JURIES

New Juries shall be empanelled in each of the counties in January, May, and October. From these panels, a new grand jury shall be selected at those times.

CLR 38 - 14

DRESS CODE

All attorneys shall dress in proper attire when they appear before this Court. No person shall be allowed to appear before the Court while wearing shorts, tank tops, or other inappropriate or offensive attire, and shoes are required. No person appearing before the Court may wear a hat or head covering unless required for medical or religious purposes. Neither gum, food, nor drinks, are allowed in the courtroom. Cell phones shall be placed on silent mode or turned off.

CLR 38 - 15

WEAPONS

(1) No weapons shall be allowed in the courtroom, clerks' offices, or any of the rooms, hallways, and/or offices adjacent to the courtrooms or the clerk's offices. This would include concealed weapons even though the person may have a valid concealed weapon permit. Anyone who enters these restricted areas shall be subject to a search of the person and/or property and any weapons found may be subject to seizure and forfeiture with possible criminal charges to be filed.

(2) This prohibition does not include or apply to any law enforcement officer, County Attorney or Assistant County Attorney, Commonwealth's Attorney or Assistant Commonwealth's Attorney, and any Justice or Judge of the Court of Justice, whether active or retired.

CLR 38 - 16

WITHDRAWAL OF ATTORNEYS

(1) Upon an attorney having entered his appearance in a case, the attorney shall remain of record, unless the attorney is relieved of his responsibilities by an Order of this Court. The attorney desiring to withdraw from either a civil or criminal case shall file a motion for leave to withdraw with a notice setting the motion for a hearing on a motion day. A copy of the motion and notice shall be served upon the client.

(2) In criminal cases, unless otherwise agreed by the attorney and his client, the attorney's responsibility for that client will end upon expiration of the time for filing a notice of appeal after the entry of the final judgment or sentencing order.

CLR 38 - 17

TRANSFER OF CASES

(1) In the event the Judge of either Division of this Circuit is unable to preside because of a conflict in a case which is within that Division, the Judge of the other Division may preside over that case. An order recusing the Judge and transferring the case from one Division to the other will be entered with both Judges signing off on that order.

(2) After an action has been assigned to a division, the Judge thereof, may agree, with the judge of the other division, by joint order, to transfer the action to the other division.

CLR 38 - 18

FAMILY COURT CASES

(1) Division I of this Circuit is accepting the cases in which Division II (Family Court) has recused. This Division in those cases will follow the rules of the Family Court of the 38th Judicial Circuit. Any motion in these Family Court cases which are before this Division may be docketed on this Division's regular motion day in each of the counties for the setting of a hearing or trial.

(2) Prior to this Court setting a hearing or trial date, the attorneys for the parties, or the parties, if unrepresented, in a Family Court case, shall schedule a case management conference with this Court's staff attorney. All issues pertaining to the case shall be discussed at the conference and the parties shall appear at the case management conference. A case management conference order shall be entered by the Court setting out the date and time of the conference along with the items that must be filed prior to the conference. Failure to file these required items may result in a continuance of the conference. The staff attorney shall prepare a report that sets out the resolved and unresolved issues, the parties, and the attorneys that appeared at the conference, along with any other relevant information that was discussed at the conference.

CLR 38 - 19

TELEPHONE CONFERENCES

Any motions involving issues of law in which no testimony of a witness will be taken may be heard by telephonic conference upon agreement of all attorneys representing parties in the case. With prior Court approval, the Court may allow testimony by phone of witnesses in cases involving an emergency. Upon agreeing that the motion may be heard by the Court by telephonic conference, the attorney desiring a telephonic conference on a motion or a matter pending before the Court shall contact the Judge or the Judge's secretary for a possible convenient time(s) for the telephonic conference. Upon receiving the possible date(s) and time(s) of the telephonic conference, the attorney shall communicate this to opposing counsel, and thereafter shall confirm with the Judge's secretary of the agreed upon date and time for the telephonic conference so the conference can be entered on the Judge's calendar. The attorney requesting a telephonic conference shall initiate the call. Resolution of the issue prior to the telephonic conference shall be immediately reported to the Judge's secretary. No telephone conferences will be scheduled on a motion day.

CLR 38 - 20

GENERAL TRIAL MATTERS

(1) Voir Dire examination of jurors shall primarily be done by counsel, subject to limitations by the Court. The Court will expect counsel to make a full, frank and fair disclosure to the Court of any probable disqualification of a prospective juror for any reason which is known by counsel and would not necessarily be brought out in a voir dire examination.

(2) At any time during the selection of a jury or the trial of a case, if an attorney should learn of any improper conduct by a party or any person toward the jury or any member thereof, this matter should be promptly brought to the attention of the Court.

(3) Attorneys shall advise clients and witnesses in advance of trial of proper courtroom decorum, including the IMPROPRIETY OF ATTEMPTING TO DISCUSS PENDING MATTERS WITH THE COURT.

(4) The dignity and solemnity of both the Court and counsel shall be maintained at all times.

(5) Several criminal cases, of necessity, must be set on the same day. Unless excused by the Court prior to the trial date, all attorneys representing defendants whose case is set on a given day shall appear in court promptly at 9:00 o'clock a.m. and be available for trial until excused by the Court. Attorneys also representing defendants in this Circuit shall not set depositions, trials or hearings in other courts on the dates when a criminal case in which they are an attorney is set for trial.

(6) Criminal cases are normally set for trial at arraignment. Cases will not be continued for any conflicts in other courts arising after the date the trial is first set. Appropriate sanctions may be used to insure compliance with these rules.

(7) The Court will set a date for a discovery pretrial conference at arraignment which will ordinarily be two (2) months after the arraignment. The Commonwealth will provide the Defendant's counsel with all available discovery on or before the discovery pretrial conference.

(8) If defense counsel feels that all discovery has not been furnished by the pretrial conference, an appropriate motion for specific discovery may be filed. Boiler plate discovery motions and discovery orders shall not be filed.

(9) Failure to make good-faith discovery available to the Commonwealth's attorney or to defense counsel may result in a continuance, dismissal of the case, or a ruling that the evidence not furnished may not be introduced at trial. Defense counsel shall provide reciprocal discovery to the Commonwealth as soon as practicable after receipt of the discovery.

(10) Attorneys shall instruct their clients, witnesses, or any interested parties of the impropriety of ex parte communications with the Court concerning any matter that is pending or may be heard in the future by the Court.

(11) If a criminal case is not tried or otherwise disposed on its scheduled trial date, that case shall be automatically rescheduled for the next motion day for disposition, to reschedule the trial date or for any other matter pertaining to the case.

CLR 38 - 21

PROTOCOL FOR OBTAINING COURT DATES FOR SPECIAL JUDGE CASES THAT ARE NOT WITHIN THIS CIRCUIT

(1) Call the presiding Special Judge's secretary and obtain 2-3 potential court dates. The Judge's secretary will check with the Circuit Clerk to ensure a courtroom is available.

(2) Call the opposing attorney to select one of the 2-3 potential court dates for the hearing.

(3) Once you have your court date selected, call the Special Judge's secretary to inform her of the date and so the hearing can be docketed on the Special Judge's calendar.

(4) All tendered motions, notice of the hearing, and orders are to be filed with the Circuit Clerk's Office, and the Circuit Clerk shall forward them to the Judge.

(5) Please list the judge on all copy lists.

(6) **PLEASE NOTE:** It is not necessary to file a motion to "schedule a hearing" on special judge cases; follow the above procedure.

CLR 38 - 22

PREFERED FORMAT FOR JUDGMENT & ORDERS OF SALE TO SHOW THE DATE AND TYPE OF SERVICE ON THE DEFENDANT(S).

This matter having come before the Court pursuant to Plaintiff's Motion for Judgment and Order of Sale against the Defendants, this Court having reviewed the pleadings and affidavits filed herein, and being otherwise sufficiently advised,

The parties were served as follows:

Defendant	**Type and Date of Service**	
John Doe	Sheriff	1/1/2014
Other	Answer filed	3/1/2014
Other/Unknown	Warning Order report filed	5/1/2014

CLR 38 - 23

JUDICIAL SALES

(1) Copies of motions for judicial sales and judgments and orders of sale tendered therewith shall be served on the Court's Master Commissioner, as upon other parties not in default pursuant to CR 5.

(2) A 30-year opinion of title on the property to be sold, signed by a lawyer licensed to practice in Kentucky, shall be served on the Master Commissioner by the party that moved for sale prior to the Commissioner's having to schedule sale. Alternatively, the moving party may have the Commissioner hire an attorney who is familiar with title examination in the County to provide an opinion of title.

(3) The document may be either an opinion of title addressed to the Commissioner, or it may be a copy of an opinion addressed to the moving party or to the party's attorney, and it shall include an accurate description of the property and:

(a) Complete sources of title of all persons with present and inchoate interests of record;
(b) Exact fractional interest of title owners holding jointly;
(c) All unreleased liens of record and the approximate present payoff required to release each lien (according to lienholder); and
(d) All tax bills and certificates of delinquency payable within statute of limitations, including amount payable (with penalty), number of bill or certificate of delinquency, and date of certificate of delinquency or, if sold to a third party, date of sale.

(4) Reasonable attorney fees for title opinions may be claimed and assessed as costs of sale.

(5) If the property has a building that has been vacated, a key should be delivered to the Master Commissioner upon or before issuance of Notice of Sale. If a building is occupied, the order of sale must give the Master Commissioner authority to enter to show the premises to appraisers and prospective purchasers. If keys cannot be obtained, please advise so that a locksmith may be engaged.

(6) Posting, Display advertising, Professional auctioneer service, and Sale on site require specific order and budget. Please note that Posting is not required by law: KRS 426.200(2), 426.560; *Ward v. Vanhoose*, 222 Ky. 135, 300 SW 337 (1927). Please do not include Posting in your order of sale without budget: *Miller v. Cisco*, 279 Ky. 440, 130 SW 2d 783 (1939). Notice of Sale nonetheless may be posted on Courthouse doors as a matter of course and will be advertised in the local paper for three weeks preceding sale. Since all sales are advertised according to law, it is not necessary to include specific provisions of notice or advertisement in order of sale.

(7) Specific costs payable other than those recited specifically in judgment and order of sale or opinion of title that will not be included in a party's motion for fees and costs, must be disclosed to the Commissioner before motion for distribution. For payment of a warning order fee from proceeds of sale, the plaintiff's attorney or the warning order attorney must serve a copy of the order approving the fee on the Commissioner before motion for distribution.

(8) Unless the Master Commissioner agrees prior to the sale, ten percent of purchase price or $2,000, whichever greater, must be paid at sale, with bond for balance with surety approved by Commissioner, with interest at 12 percent per annum from tender of possession or deed, whichever is earlier. A deed without warranty will be tendered at Court's next monthly motion day that falls at least 10 days from the date of report of sale. These terms are standard policy, in accord with law, and need not be included in order of sale. Parties entitled to sale proceeds may be entitled to waiver of surety on bond, in Commissioner's discretion, but must nonetheless pay cash deposit unless otherwise agreed.

The Rules shall become effective in Division One of the Courts of the 38th Judicial Circuit upon approval of the Supreme Court of the Commonwealth of Kentucky. It is further certified that a copy of the Local Rules was mailed to Hon. John D. Minton, Chief Justice of the Supreme Court of Kentucky, 231 Capitol Building, 700 Capitol Avenue, Frankfort, Kentucky 40601-3488, this 28th day of May, 2015.

RONNIE C. DORTCH, JUDGE
38TH JUDICIAL CIRCUIT COURT

MIKE MCKOWN, JUDGE
38TH JUDICIAL FAMILY COURT

JOHN MCCARTY, JUDGE
38TH JUDICIAL DISTRICT COURT

RENONA BROWNING, JUDGE
38TH JUDICIAL DISTRICT COURT

ADDENDUM TO LOCAL RULES FOR 38TH JUDICIAL CIRCUIT

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COMMONWEALTH OF KENTUCKY
_____ CIRCUIT COURT
ACTION NO. _____

PLAINTIFF

VS.

PRETRIAL ORDER

DEFENDANT

****

TRIAL DATE: _____ **PRETRIAL:** _____

IT IS ORDERED:

1. Discovery shall be completed on or before _____.
   No additional discovery will be permitted thereafter except upon motion for good cause shown.
2. Names of all witnesses shall be exchanged no later than _____.
   A. Plaintiff's expert(s) shall be named by _____;
   B. Defendant's expert(s) shall be named by _____.
   Witnesses who are not disclosed shall not be permitted to testify except upon motion for good cause shown.
3. All non-dispositive motions shall be filed on or before _____;
4. All dispositive motions shall be filed and heard on or before Pretrial Conference date.
5. Counsel shall prepare and bring the following to the Pretrial Conference, in addition to exhibits:
   A. Briefs on unusual legal issues
   B. Proposed jury instructions.
   C. A statement of the issues to be resolved by trial and what you must establish in order for your client to prevail.
   D. A list of exhibits.
   E. Stipulation of facts which are not contested.
6. Counsel shall meet prior to the Pretrial to exchange exhibits and be prepared to discuss and advise the Court as to what exhibits can be agreed to for admission, authenticity, or other limited purposes. Exhibits that are not so exchanged shall not be admitted.
7. Counsel shall appear at the Pretrial conference prepared to discuss all pending motions and settlement of the case. No motions shall be filed or heard subsequent to the Pretrial without good cause shown.
8. Prior to trial, all depositions to be used at Trial are to be reviewed by counsel for objections. Objections not received by the Court at least 24 hours prior to the scheduled Pretrial shall be deemed waived.
9. Clients, including insurance representatives, shall be present at the Pretrial conference, unless expressly waived by the Judge.
10. There will be no extension of any date established by this order by stipulation of the parties. A motion and order are required for any modification. No continuance of the Trial date will be granted without good cause, by motion and signed by the attorney(s) and their client(s).

SO ORDERED AND ADJUDGED this _____ day of _____, 20_____.

_____
RONNIE C. DORTCH, CIRCUIT JUDGE