

IN THE SUPERIOR COURT OF GUAM

Plaintiff(s)

Case No.

V.

	Defendant(s)
--	--------------

CVR 7.1 FORM 1

And any related claims and parties.

NOTICE OF MOTION and MOTION

Please take notice that

	Movant(s)
--	-----------

hereby move(s) the court for an Order granting the following relief:

Case No.	Case Name	Case Description	Relief Sought
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

Oral Argument is requested: Yes _____ No _____ Unknown at this time _____

BRIEFING SCHEDULE

Pursuant to CVR 7.1(b) and (d)(1)-(3), or order of this court, or stipulation filed with the court, the respective briefs of the parties on the motion must be filed and served as follows:

Opening brief due:

Normally the date of filing of this Notice

Opposition brief due:

Normally 28 days after above date

Reply brief (if any) due:

Normally 42 days from the filing of the motion

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he or she has caused, or within one business day of filing, shall cause this notice, together with any and all accompanying documents and supporting memoranda relative to the subject motion, to be served upon all parties who have appeared herein, through counsel of record, pursuant to Guam Rule Civil Procedure Rule 5.

RESPECTFULLY SUBMITTED this _____ day of _____, 20____.

Movant(s)	
Attorney	Attorney's Signature

IN THE SUPERIOR COURT OF GUAM

--

Plaintiff(s)

v.

--

Defendant(s)

Case No.

CVR 7.1 FORM 2

And any related claims and parties.

STATEMENT RE: ORAL ARGUMENT ON PENDING MOTION

[To be filed no later than seven (7) days after filing of the last brief on the subject motion or after the time for such filing has elapsed.]

On

--

Movant(s)

filed a motion for an order granting the following relief:

--

Relief Sought

With respect to said motion, the undersigned hereby:

☐

Requests oral argument on the motion.

☐

The parties have agreed that the motion should be heard on or about:

--

Parties' proposed hearing date

☐

The parties either have not agreed on a hearing date or have not discussed the matter.

☐

Represents that oral argument on the motion is unnecessary.

RESPECTFULLY SUBMITTED this ____ day of _____, 20__.

Party	
	Attorney's Signature
Attorney	

Plaintiff(s)

Case No.

Defendant(s)

CVR 7.1 FORM 3

NOTICE OF HEARING OR SUBMISSION ON BRIEFS

On , Movant(s)
filed a motion for an order granting the following relief:

[illegible]

Oral argument is set before the court at the following date and time:

☐ The court has determined that oral argument is unnecessary.

DATED this _____ day of _____, 20__.

Signature

In the Superior Court of Guam

Plaintiff(s)

v.

Case No.

Defendant(s)

CVR 7.1 FORM 4

APPLICATION TO SHORTEN TIME; ORDER

1. I am applying to shorten time on the following motion, application, or requested relief:

Relief Sought

2. Reason(s) necessary to shorten time:

3. Name of opposing parties (or attorneys), or if there are no opposing parties, the name of interested parties entitled to notice as required by law:

4. **NOTICE** (Note: If opposing/interested parties *HAVE NOT BEEN GIVEN NOTICE*, this CVR 7.1 FORM 4 is *NOT APPLICABLE*. You must use CVR 7.1 FORM 5 “APPLICATION FOR EX PARTE RELIEF”):

- ☐ The opposing (or interested) parties were notified of the relief requested; and I hereby certify that I will notify the opposing (or interested) parties of the hearing date and time as scheduled by the Court.

Notice was given to:

Notification occurred on: (date) at (time)

Manner of notification:

5. AGREEMENT OR OPPOSITION OF OPPOSING (OR INTERESTED) PARTIES:

- ☐ The opposing (or interested) parties agree to shorten time on the moving party’s *(insert name of motion, application, or requested relief listed in Section 1.)*:

- ☐ The opposing (or interested) parties oppose the application to shorten time for the following reasons:

- ☐ The opposing (or interested) parties did not respond to notice of the application to shorten time or the parties have otherwise not discussed whether this application is opposed or unopposed.

I declare under penalty of perjury under the laws of Guam that the above information and all attachments are true and correct.

Date: _____

Signature: _____

Printed Name: _____

ORDER

- ☐ Oral argument on the application to shorten time is set before the Court at the following date and time:

 (date and time)

Oppositions to the application to shorten time must be filed by:

 (date and time)

Replies to any oppositions must be filed by:

 (date and time)

OR

The Court hereby: ✕ GRANTS ✕ DENIES the application to shorten time for the following reasons:

The hearing on the moving party's *(insert name of motion, application, or requested relief listed in Section I.)*

shall be held on

(date)

 at

(time)

Oppositions to the

must be filed by

(date)

 at

(time)

Replies to any oppositions must be filed by

(date)

at

(time)

SO ORDERED: _____

HONORABLE
Judge, Superior Court of Guam

In the Superior Court of Guam

Plaintiff(s)

v.

Defendant(s)

Case No.

CVR 7.1 FORM 5

And any related claims and parties.

APPLICATION TO *EX PARTE* RELIEF; ORDER

1. Type of relief requested:

Relief Sought

2. Explain **in detail** the reason(s) *ex parte* relief is necessary (e.g., notice of the application for *ex parte* relief would frustrate the purpose of the order sought, or applicant would suffer immediate and irreparable harm before the matter can be heard on notice):

NOTE: IF NOTICE HAS BEEN GIVEN TO OPPOSING OR INTERESTED PARTIES, THIS CVR 7.1 FORM 5 IS NOT APPLICABLE. SEE CVR 7.1 FORM 4 "APPLICATION TO SHORTEN TIME."

3. Name of opposing parties (or attorneys), or if there are no opposing parties, the name of interested parties entitled to notice as required by law:

4. MEMORANDUM OF POINTS AND AUTHORITIES:

- ☐ I hereby certify that I have attached the Memorandum of Points and Authorities as required by CVR 7.1(k)(2)(B).

5. PROPOSED ORDER:

- ☐ I hereby certify that I have attached a proposed order granting the relief requested as required by CVR 7.1(k)(2)(E).

6. STATEMENT REGARDING EXPEDITED BASIS:

- ☐ I believe it is necessary for this application for *ex parte* relief to be heard on an expedited basis or earlier than the regular time permitted or required by these Civil Rules of Court or the Guam Rules of Civil Procedure for the following reasons:

- ☐ It is not necessary for this application for *ex parte* relief to be heard on an expedited basis or earlier than the regular time permitted or required by these Civil Rules or the Guam Rules of Civil Procedure.

I declare under penalty of perjury under the laws of Guam that the above information and all attachments are true and correct.

Date: _____

Signature: _____

Printed Name: _____

ORDER

The Court hereby: ☐ GRANTS ☐ DENIES the application to hear the matter *ex parte* for the following reasons:

The Court hereby: ☐ GRANTS ☐ DENIES the request to hear the matter on an expedited basis for the following reasons:

The hearing on the matter shall be held on _____ at _____.
(date) (time)

SO ORDERED: _____

HONORABLE
Judge, Superior Court of Guam

IN THE SUPERIOR COURT OF GUAM

Superior Court Case No. _____

Plaintiff,

vs.

Defendant.

CVR 16.1 FORM 1

SCHEDULING NOTICE

The Civil Rules (“CVR”) establish procedures for complying with Rules 16(b) and 26(f) of the Guam Rules of Civil Procedure (“GRCP”). Counsel should study the Civil Rules before attempting to process cases in this court.

PURSUANT TO CVR 16.1 AND 16.2, IT IS HEREBY ORDERED THAT:

1. Counsel of record and all *pro se* litigants that have appeared in the case must meet and confer, within fifteen (15) days after receipt of this Notice, but no later than sixty (60) days after the filing of the complaint, prior to commencing discovery.

2. A proposed Scheduling Order and a proposed Discovery Plan shall be filed on or before the ____ day of _____, 20____. Careful and immediate attention should be given to the directions in CVR 16.1 and 16.2 to ensure complete and timely compliance with GRCP Rules 16(b) and 26(f), and the Local Rules.

3. Plaintiff's counsel, or if the plaintiff is *pro se*, then the *pro se* plaintiff, must take the lead in the preparation of the Scheduling Order. If a defendant is not contacted by a *pro se* plaintiff within the required time frame, the defendant shall contact the *pro se* plaintiff and arrange a meeting to comply with this Rule in the appropriate time frame. The failure of a party or its counsel to participate in good faith in the framing of a Scheduling Order may result in the imposition of sanctions.

4. Counsel of record and all *pro se* litigants that have appeared in the case are jointly responsible for submitting a Proposed Discovery Plan to the Court.

5. A Scheduling Conference shall be held on the ____ day of _____, 20____, at ____:____ __.m.

6. Counsels are reminded that the filing of motions does not postpone discovery.

7. It is the responsibility of plaintiff's counsel or the *pro se* plaintiff to serve a copy of the clerk's Scheduling Notice on all parties who may appear after the clerk's issuance of the Notice of Scheduling Conference.

DANIELLE T. ROSETE
Clerk of Court

By: _____
Deputy Clerk

IN THE SUPERIOR COURT OF GUAM

Superior Court Case No. _____

Plaintiff,

vs.

CVR 16.1 FORM 2

Defendant.

PROPOSED SCHEDULING ORDER

TRIAL

The court shall set trial no later than _____. *See* CVR 16.1(c)(4)(D)(viii) (unless otherwise ordered by the court, “in no event shall the trial date be later than fifteen (15) months after the complaint is filed.”).

Bench trial/Trial by jury shall be scheduled for _____ at _____.m.

Estimated duration of trial:_____.

The nature of the case: _____

The names of counsel in this case are: _____

SCHEDULING CONFERENCE

Scheduling Conference is scheduled for _____ at _____.m.

MOTIONS

(1) Motions to join other parties shall be filed no later than _____.
and motions to otherwise amend pleadings shall be filed no later than _____. Thereafter, parties may be joined and/or pleadings amended only upon leave of court and for good cause shown.

(2) All motions under the discovery rules shall be filed no later than _____.

(3) Dispositive motions shall be filed no later than _____.

MEDIATION/ADR

(1) ____ Counsel have informed their clients of the availability of mediation as required under Miscellaneous Rule MR 4.1.6 of the Local Rules of the Superior Court of Guam and counsel have filed the required MR Form 4.1 B1 "Mediation Certification."

(2) ____ The parties have agreed to mediation, either voluntarily under 7 GCA Chapter 43A or as ordered to do so by the court under Miscellaneous Rule MR 4.1.6 of the Local Rules of the Superior Court of Guam.

(3) ____ The parties have attempted Alternative Dispute Resolution under 7 GCA Chapters 42-A or 42-B.

____ The parties have not attempted Alternative Dispute Resolution and do not intend to.

____ The parties have not attempted Alternative Dispute Resolution but may do so in the future.

FURTHER PRE-TRIAL PROCEEDINGS

(1) The Pretrial Conference shall be held on the ____ day of _____,
at _____m.

(2) Trial brief:

(a) ____ The court orders each party to file a trial brief no later than ____.

(b) ____ The court does not require the parties to file a trial brief.

(3) The following documents shall be filed or lodged by ____ (usually
no later than fourteen (14) days prior to trial:

(a) Witness lists

(b) Exhibit lists

(c) Discovery Material Designations

(d) Proposed Jury Instructions

(e) Proposed Voir Dire Questions

(f) Proposed Forms of Verdicts

(4) Discuss prospects for settlement: _____

(5) Discuss any suggestions for shortening trial: _____

Dated:_____.

Plaintiff

Defendant

SO ORDERED:_____.

Judge, Superior Court of Guam

IN THE SUPERIOR COURT OF GUAM

Superior Court Case No. _____

Plaintiff,

vs.

Defendant.

CVR 16.1 FORM 3

DISCOVERY PLAN AND PROPOSED ORDER

(1) Unless required in support of a motion or by order of the court, discovery documents are not to be filed with the court.

(2) The following matters will affect the status or management of the case:

(3) In accordance with Guam Rules of Civil Procedure (“GRCP”) Rule 26(f) and CVR 16.2, the parties:

(a) ____ Have met and conferred on ____ day of _____, at _____.m.,
attended by: _____

(b) ____ Parties have not conferred because: _____

but plan to meet and confer on ____ day of _____, at _____.m.

(4) Initial disclosures, as required by GRCP 26(a)(1), will be exchanged by: _____.
_____. (GRCP 26(a)(1) generally requires exchange within 14 days of the GRCP 26(f) conference.)

(5) Expert witness disclosures in accordance with GRCP 26(a)(2) must be made on or before _____ (in the absence of a court order or stipulation by the parties, GRCP 26(a)(2)(C) requires disclosure at least 90 days before trial, or 30 days after initial disclosure if offered for rebuttal).

(6) Pursuant to GRCP 26(a)(3), each party shall serve and file, on or before _____, pretrial disclosures which, unless otherwise specifically stated, must include expert as well as lay witnesses. Unless solely for impeachment, only those witnesses so disclosed will be permitted to testify at trial. (GRCP 26(a)(3) generally requires disclosure at least 30 days before trial).

(7) Limits on discovery

The limitations on discovery in accordance with GRCP 26(b) shall apply, except:

(8) The following is a description and schedule of all pretrial discovery each party intends to initiate prior to the close of discovery:

Plaintiff: _____

Defendant: _____

Dated: _____.

Plaintiff

Defendant

SO ORDERED: _____.

Judge, Superior Court of Guam

IN THE SUPERIOR COURT OF GUAM

Superior Court Case No. _____

Plaintiff,

vs.

Defendant.

BILL OF COSTS

Judgment having been entered in the above-entitled action on _____ against _____, the Clerk of the Superior Court of Guam is requested to tax the following as costs:

BILL OF COSTS

FILING FEES:	\$ _____
Complaint	\$ _____
Summons	\$ _____
Subpoena	\$ _____
Other Clerk's Fees	\$ _____
MARSHAL'S FEES:	\$ _____
Service of Summons/Subpoenas	\$ _____
Mileage	\$ _____
Other Marshal's costs	\$ _____
COURT TRANSCRIBER'S FEES:	\$ _____
Other Transcriber's fees	\$ _____
WITNESS FEES:	\$ _____
Other Witness fees	\$ _____
INTERPRETER'S FEES:	\$ _____
Other Interpreter's fees	\$ _____

ATTORNEY'S APPEARANCE FEE: \$ _____
OTHER COSTS (Please itemize): \$ _____
TOTAL COSTS TO BE TAXED: \$ _____

DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which have been charged were actually and necessarily performed. A copy of this Bill of Costs was served on _____ on _____, at _____m.

Executed _____ day of _____, 20____.

CLAIMING PARTY
(Print name and Sign)