

**SUPERIOR COURT**

**NEW CASTLE COUNTY**

**CIVIL CASE**

**MANAGEMENT PLAN**

*The following Plan is adopted by the Superior Court  
of the State of Delaware in order to ensure the  
orderly and prompt disposition of civil cases in  
New Castle County*

**REVISED: June 20, 2019**

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## I. GENERAL FILING INFORMATION

- A. In all civil actions that are filed in the Superior Court of the State of Delaware, a party should review and follow the [Superior Court Rules of Civil Procedure](#).
- B. Most civil cases are individually assigned to a specific Judge (the “Assigned Judge”) at the time of filing. The Assigned Judge will handle all aspects of the assigned case. Once a matter is assigned, it is recommended that a party review the Assigned Judge’s [Judicial Preferences Page](#) for information specially related to that Assigned Judge.
- C. The Superior Court uses an electronic filing system (eFiling). Unless otherwise authorized, a party must utilize the electronic filing system of the Superior Court. See [Del. Super. R. Civ. P. 79.1](#).

### 1. Civil Action Numbers

- a. Upon acceptance of any civil action case, a Civil Action Number is assigned.
- b. A Judge may immediately be assigned to the civil action as well, *i.e.*, the Assigned Judge. If for some reason the case is not assigned to a Judge at the time of filing, (*i.e.*, judicial recusal) the case will be given the initials ‘TBA’ (To Be Assigned).
- c. All future filings MUST include the civil action number with the Assigned Judge’s initials appearing at the end.
- d. An example of a Civil Action Number upon judicial assignment: **N00C-01-001 JRJ**

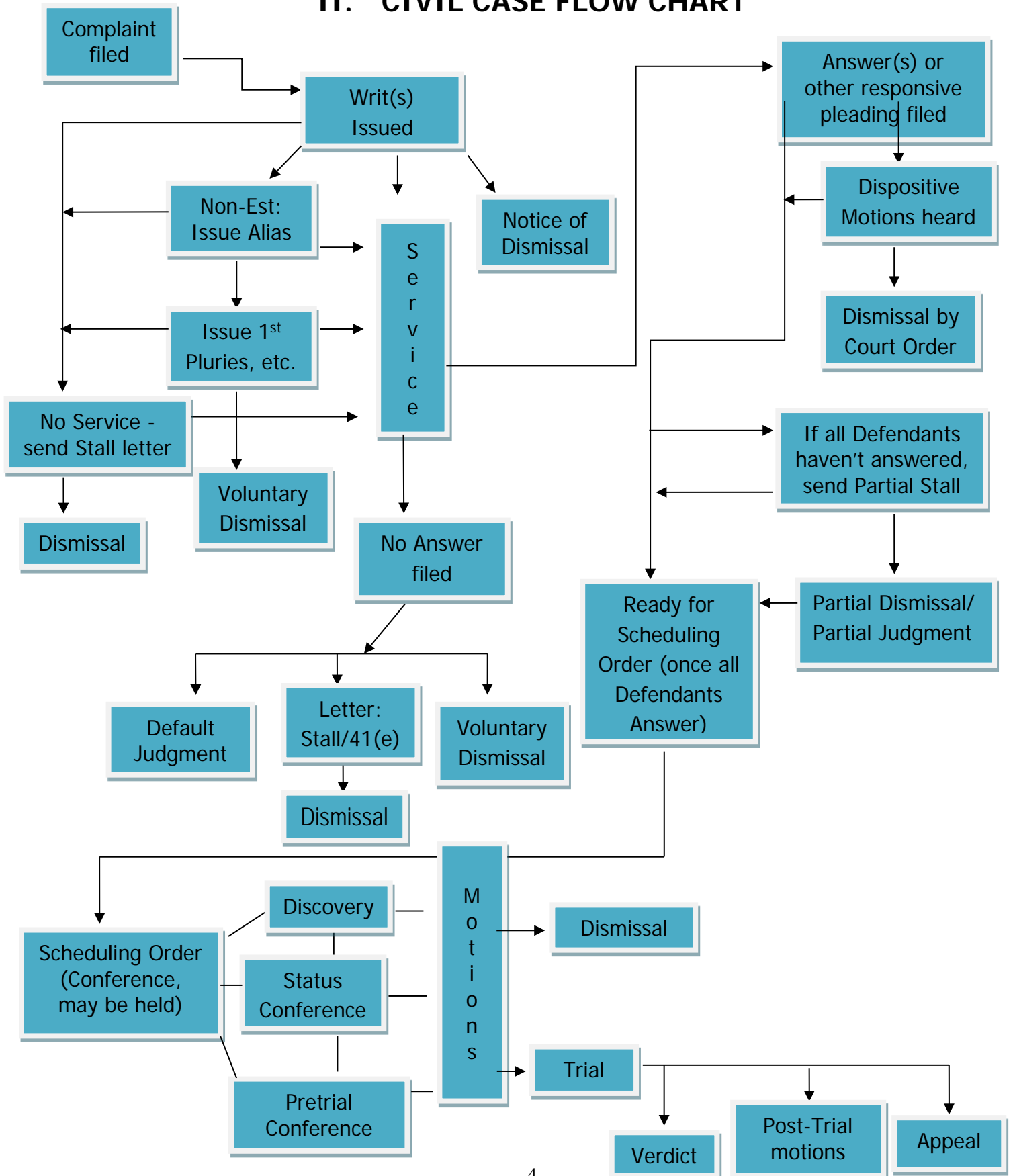
## **2. eFiled Cases.**

- a. Once assigned, the party will be notified by the Assigned Judge or by the Prothonotary with an eFiled assignment letter.
- b. Once assigned a civil action number, the FILING party is then responsible for:
  - i. printing service copies of all pleadings while ensuring those copies include the eFile seal; and
  - ii. delivering those printed service copies to the Prothonotary's Office, along with payment. Payment is accepted in the form of check that are made payable to the '**New Castle County Sheriff**' for the appropriate service [fees](#).

## **3. Non-eFiled Cases**

- a. Payment of the filing fee is due at the time a non-eFiled case is filed. Upon filing and payment, a civil action number is assigned.
- b. The Prothonotary will immediately provide the filing party with a receipt that will reflect the civil action number and the initials of the Assigned Judge's, if appropriate.
- c. Examples of civil actions that are not eFiled can be found within the [Case Information Statement \(CIS\)](#).

## II. CIVIL CASE FLOW CHART



### III. JUDICIAL ASSIGNMENTS

- A. Unless otherwise specially assigned by the President Judge, the following civil case types are assigned to *all Judges* at the time of filing on a rotating basis within categories.

| COMPLAINTS       |  |
|------------------|--|
| Malpractice      | Malpractice (CMAL)                         |
|                  | Medical Malpractice (CMED)                 |
| Personal Injury  | Auto Arbitration Appeals (CAAA)            |
|                  | Personal Injury Auto (CPIA)                |
|                  | Personal Injury (CPIN)                     |
| Other Complaints | Abatement (CABT)                           |
|                  | Civil Miscellaneous (CMIS)                 |
|                  | Class Action (CACT)                        |
|                  | Condemnation (CCON)                        |
|                  | Debt/Breach of Contract (CDBT)             |
|                  | Defamation (CDEF)                          |
|                  | Declaratory Judgment (CDEJ)                |
|                  | Ejectment (CEJM)                           |
|                  | Foreign & Domestic Attachment (CATT)       |
|                  | Foreign Judgment (CFJG)                    |
|                  | Fraud Enforcement (CFRD)                   |
|                  | Interpleader (CINT)                        |
|                  | Lemon Law (CLEM)                           |
|                  | Libel (CLIB)                               |
|                  | Products Liability (CPRL)                  |
|                  | Property Damage (CPRD)                     |
|                  | Replevin (CRPV)                            |
|                  | Transfer from Court of Common Pleas (CCCP) |
|                  | Transfer from Chancery Court (CCHA)        |

| MORTGAGES/MECHANIC LIENS                      |
|---|
| Mortgage – Non Mediation (Res.) (MORT)        |
| Mortgage Mediation (MMED)                     |
| Mortgage Commercial (MCOM)                    |
| <u><a href="#">Mechanic's Lien (LIEN)</a></u> |

| <b>APPEALS</b>   |
|--|
| <a href="#"><u>Administrative Agency (AADM)</u></a> - <i>double click for sample forms</i>               |
| Certiorari (ACER)  |
| <a href="#"><u>Court of Common Pleas (ACCP)</u></a> - <i>double click for sample forms</i>               |
| <a href="#"><u>Industrial Accident Board (AIAB)</u></a> - <i>double click for sample forms</i>           |
| <a href="#"><u>Unemployment Insurance Appeal Board (AUIB)</u></a> - <i>double click for sample forms</i> |
| Public Service Commission (APCS)   |

- B.** At the time of filing, the following cases are referred to the **OFFICE JUDGE**:

|  |
|--|
| AG Motion – Civil/Criminal Investigations (MAGM)                                     |
| Cease and Desist Orders (MCED)   |
| Civil Penalty (MCVP)   |
| Consent Orders (MCTO)  |
| Hazardous Substance Cleanup (MTOX)   |
| Material Witness (MWIT)  |
| Material Witness – Out of State (MWOT)   |
| Petitions Requesting an Order (MCRO)   |
| Sell Real Estate for Property Tax (MSEL)   |
| Any application relating to an unassigned case                                       |
| Any application requiring immediate attention when the Assigned Judge is unavailable |

- C.** Case types such as those listed below are assigned as follows:

|  |
|--|
| Habeas Corpus (MHAC)                     |
| Petitions for Writ of Mandamus (MMAN)    |
| Petitions for Writ of Prohibition (MPRO) |
| Other petitions/writs                    |

1. When one of the above case types has been filed and relates to a Superior Court Criminal Sentence it is referred to the appropriate **SENTENCING JUDGE**;
2. When one of the above case types has been filed and does not relate to a Superior Court Criminal Sentence it is referred to the **OFFICE JUDGE**.

**D.** The following case type is assigned to the **PRESIDENT JUDGE**:

|                                |
|--------------------------------|
| Appointment of Attorney (MAAT) |
|--------------------------------|

**E.** The following cases are not assigned individually, but are referred for review by a **COMMISSIONER**:

|  |
|--|
| Application for Forfeitures (MAFF)                   |
| Appointment of Guardianship (MGAR)                   |
| Expungements/Destruction of Indicia of Arrest (MIND) |
| Involuntary Commitments (INVC)                       |

1. The following cases are not assigned individually, but are referred as needed to a **COMMISSIONER**:

|                             |
|-----------------------------|
| Issuance of Subpoena (MISS) |
|-----------------------------|

**F.** The following cases are not assigned individually, but are scheduled before a **COMMISSIONER** to be heard on the following calendars:

|  |
|--|
| <b>Criminal Motions Calendar</b><br>(Mondays at 1:30 p.m.) |
|--|

|   |
|---|
| Motion for Risk Assessment (MRAT)                   |
| Motions relating to Return of Property Cases (MROP) |

|   |
|---|
| <b>Civil Miscellaneous Motions and Hearing Calendar</b><br>(Fridays at 1:30 p.m.) |
|---|

|  |
|--|
| Lien Extension (MLEX)  |
| Petitions to Stay/Vacate a Sheriff Sale or Set Aside Mortgage (MSSS, MSEM) |
| Return Dates of Petitions to Compel Satisfaction of Judgment (MSOJ)        |
| Return Dates of Petitions to Satisfy a Mortgage (MSAM)                     |
| Return Dates of Writ of Possession - Unassigned case (MPOS)                |



|                              |
|------------------------------|
| Structured Settlement (MSET) |
| Judgment Petitions           |
| Motions for Charging Order   |

**G.** The following cases are assigned as follows:

| <b>RETURN OF PROPERTY (MROP)</b> |   |
|----------------------------------|---|
| Non-Jury Trial Cases             | assigned <i>to</i> a <b>COMMISSIONER</b> at the time trial is scheduled                             |
| Jury Trial Cases                 | assigned <i>by</i> the <b>OFFICE JUDGE</b> on the day of trial <i>to</i> any <b>AVAILABLE JUDGE</b> |

**H.** The following civil case categories are assigned as follows:

| <b>CASE TYPE:</b>                                  | <b>ASSIGNMENT:</b>   |
|--|--|
| Appeals Fee Applications                           | BY: the <i>Resident Judge</i>                              |
| Asbestos (CASB)                                    | BY: <a href="#"><u>Administrative Directive 2019-1</u></a> |
| Complex Commercial Litigation Division (CCLD)      | BY: <a href="#"><u>Administrative Directive 2018-3</u></a> |
| Civil Contempts/Capias (MCON)                      | TO: the Judge who Orders the Contempt/Capias               |
| Excess Sheriff Proceeds (MESP)                     | TO: <i>Special Master</i>                                  |
| Failure to Appear for Jury Duty/Rule to Show Cause | BY: the <i>Resident Judge/Trial Judge</i>                  |
| Intercept of Forfeited Money (MFOR)                | TO: the <i>Criminal Administrative Judge</i>               |
| Judgment Cases - Contested Matters                 | TO: <i>All Judges</i> as appropriate on a rotating basis   |
| Summary Proceedings Dispute (CSPD)                 | BY: the <i>President Judge</i> on a case-by-case basis     |
| Tax Refund Intercept Appeals (MREF)                | TO: the <i>Criminal Administrative Judge</i>               |

**I.** The following civil case categories are assigned to the **RESIDENT JUDGE**:

|  |
|--|
| Applications to Carry a Concealed Deadly Weapon (CCDW) |
| Road Resolution (MROD)                                 |
| Vacate Public Road (MVAC)                              |
| Tax Ditches (MTAX)                                     |
| Tax Lagoons (MLAG)                                     |

**J.** Currently the Court has a system in place that allows it to consolidate a number of matters into a civil case category known as “**MASS TORTS.**”

1. Mass Torts are consolidated with one Assigned Judge.

(i) Mass Tort cases currently pending in the Superior Court are as follows:

| CASE TYPE:                   | ASSIGNMENT:     |
|------------------------------|-----------------|
| Abilify (CABI)               | Judge Scott     |
| Honeywell (CHON)             | Judge Rocanelli |
| Monsanto (CMON)              | Judge Medinilla |
| Pelvic Mesh (CPEL)           | Judge Johnston  |
| Plavix (CPLX)                | Judge Streett   |
| Proton Pump Inhibitor (CPPI) | Judge Davis     |
| Talc (CTAL)                  | Judge Butler    |
| Taxotere (CTAX)              | Judge Medinilla |
| Xarelto (CXAR)               | Judge Wharton   |

#### **IV. MANDATORY NON-BINDING ARBITRATION – [GUIDELINES FOR SUPERIOR COURT CIVIL RULE 16.1](#)**

**A.** Plaintiff’s counsel may designate a civil action, as a non-binding arbitration case, except certain matters as set forth in Rule 16.1 (b), where the plaintiff agrees to the following:

1. Plaintiff agrees to limit the jurisdictional amount to \$50,000;
2. Trial is available;
3. Monetary damages are sought and non-monetary claims are nominal.

**B.** The following civil actions *are not* subject to Rule 16.1 arbitration:

1. An action involving a matter listed in Superior Court Rules 23 or 81 (a);
2. A replevin, declaratory judgment, foreign or domestic attachment, interpleader, summary proceedings, or mortgage foreclosure action;
3. Any *in forma pauperis* action where the claims are substantially non-monetary;
4. An action to enforce a statutory penalty.

## **V. GENERAL SCHEDULING PROCEDURES**

**A.** Upon judicial assignment, the parties should review the Assigned Judge's [Judicial Preferences Page](#).

**B.** Unless otherwise ordered by the Assigned Judge, Case Scheduling Orders will be issued by the Assigned Judge when all defendants have answered.

1. Case Scheduling Orders may include the following significant dates:
  - Pleading deadlines;
  - Discovery deadlines, including special dates for expert discovery;
  - Dispositive motion deadlines;
  - Status/Pretrial Conference;
  - A briefing schedule, if appropriate;
  - An alternative dispute resolution date (ADR);
  - A Pretrial Conference date (between 15-30 days prior to trial date);
  - A trial date.
2. Before a Case Scheduling Order is issued, the Assigned Judge may hold a Scheduling Conference.
3. Lead counsel and Delaware counsel are required to attend all case-related conferences unless excused by the Court.

## **VI. MOTION PROCEDURES FOR ASSIGNED CIVIL CASES<sup>1</sup>**

### **A. ROUTINE MOTIONS<sup>2</sup>**

#### **1. Scheduling:**

- a. Each Judge has a fixed weekly time slot to hear routine motions. Routine Motions shall be noticed for presentation to the Court in accordance with the Assigned Judge's time slot. [Routine Motion Schedule](#)

#### **2. Filing of Motions and Responses:**

- a. Every Motion shall be eFiled no later than 10 business days prior to the noticed hearing date with the Assigned Judge.
- b. Every Response to a Routine Motion shall be eFiled no later than 4 days prior to the noticed hearing date.
- c. Every Motion and Response *must* meet the following criteria:
  - Shall include a Notice page indicating the date and time of hearing;
  - Shall not exceed 6 pages. The Prothonotary may reject a Motion or Response that exceeds the 6-page limit.
  - If no Response has been filed by its deadline, the Motion may be deemed unopposed.

#### **3. Certain Specific Motions that may be noticed for an Assigned Judge's Routine Motion Calendar:**

- Motion for Additional Parties
- Motion for Attorney's Fees
- Motion for Default Judgment Pursuant to Rule 55(b)(2)

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<sup>1</sup> It is highly recommended that parties review the Assigned Judge's [Judicial Preferences Page](#) upon filing any Motion before that judicial officer.

<sup>2</sup> See Rule 78 of the Super. Ct. R. Civ. P.

- Motion for Expert Witness Fees
- Motion for Protective Order
- Motion for Physical Exam
- Motion for Psychiatric Examination
- Motion for Replevin
- Motion for Rule to Show Cause
- Motion for Sanctions
- Motion for Special Jury
- Motion to Amend
- Motion to Amend Pretrial Order/Scheduling Order
- Motion to Compel
- Motion to Consolidate<sup>3</sup>
- Motion to Continue Trial Date
- Motion to Dismiss Under Rule 41(e) for Failure to Prosecute
- Motion to Disqualify
- Motion to Enforce Settlement
- Motion to Expedite Proceedings
- Motion to File a Counterclaim/Cross-claim
- Motion to Intervene
- Motion to Lift Stay
- Motion to Modify an Order
- Motion to Quash
- Motion to Satisfy a Judgment
- Motion to Set Aside
- Motion to Sever
- Motion to Stay
- Motion to Strike
- Motion to Substitute Parties
- Motion to Vacate
- Motion to Withdraw as Counsel

**4. Routine Motions which can be presented WITHOUT scheduling:**

- [Motion for Admission Pro Hac Vice](#)

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<sup>3</sup> Motions to Consolidate shall be eFiled in **ALL** cases requesting consolidation and presentation to the Court shall be in the oldest case.

- Motion for Commission of  
(i) Deposition; or (ii) Subpoena *Duces Tecum*
- Motion to Confirm an Award
- Motion for Costs
- Motion to Determine if the Affidavit of Merit Complies
- Motion for Distribution of Funds
- Motion for Enlargement of Time
- Motion to File Under Seal
- Motion for Guardian *Ad Litem*
- Motion In Limine
- Motion for Interlocutory Appeal
- Motion for New Trial<sup>4</sup>
- Motion Notwithstanding the Verdict
- [Motion/Application to Proceed \*In Forma Pauperis\*](#)
- Motion for Publication
- Motion for Reargument<sup>5</sup>
- Motion to Revise a Briefing Schedule
- Motion for Rule to Show Cause
- Motion to Set Aside
- Motion for Special Process Server
- Daubert Motions

1. Motions shall be eFiled in the assigned case and a courtesy copy shall be provided to the Assigned Judge.
2. Notice pages shall be eFiled each time a Motion and/or Response is eFiled and shall indicate that the Motion and/or Response will be heard at the convenience of the Court.
3. Responses, when applicable, must be filed within **4 business days** of the filing of the Motion.
4. The parties may eFile a stipulation instead of a Motion.  
**NOTE:** Any stipulation eFiled by the parties **must** be signed by all parties.

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<sup>4</sup> See Rule 59 of the Super. Ct. R. Civ. P. for filing deadlines associated with Motions for New Trial.

<sup>5</sup> See Rule 59 of the Super. Ct. R. Civ. P. for filing deadlines associated with Motions for Reargument.

## **B. DISPOSITIVE MOTIONS<sup>6</sup>**

### **1. Certain Dispositive Motions include:**

- Motions to Dismiss
- Motions Partial Dismissal
- Motions for Judgment on the Pleadings
- Motions for Summary Judgment
- Motions for Partial Summary Judgment

### **2. Filing and Scheduling:**

- a. Motions and Responses shall be eFiled in the assigned case and courtesy copies provided to the Assigned Judge.
- b. Absent prior approval from the Assigned Judge, Motions and Responses shall not exceed 6 pages.
- c. Notice pages shall be eFiled each time a Motion and/or Response is eFiled and shall indicate: (i) the date and time of hearing; OR (ii) that the Motion will be heard at the convenience of the Court.
- d. The Prothonotary may reject a Motion that has been untimely eFiled or has not been eFiled pursuant to the [Superior Court Rules of Civil Procedure](#).
- e. The parties must obtain an available hearing date from the Assigned Judge's Judicial Assistant. The Motion *must* be eFiled within 3 days from the date obtained from the Court or the time slot may be vacated.
- f. Unless otherwise directed by the Assigned Judge, or unless a different date for Responses is set by Court Rule or an applicable Scheduling Order, Responses are due no later than 4 business days prior to the hearing date. If a

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<sup>6</sup> See Rule 78 (motions) and Rule 107 (briefs) of the Super. Ct. R. Civ. P. as those Rules relate to Dispositive Motions.

Response has not been filed by its deadline, the Motion may be deemed unopposed.

- g. Absent prior approval from the Assigned Judge, no Reply is permitted.

### **C. INCARCERATED LITIGANT MOTIONS:**

1. A Motion filed by an incarcerated litigant may be filed with the Prothonotary's Office, ***without*** reference to a date and time.
2. The Prothonotary will notify the opposing party, instructing them when their Response is due. The Response ***must*** be filed by the deadline date or the motion may be deemed unopposed.
3. Upon the expiration of the deadline provided, the Prothonotary will direct the Motion and Response, if any, to the Assigned Judge.
4. The Assigned Judge will review the pleadings and may decide on the papers or schedule a hearing.
5. If a hearing is necessary, the Assigned Judge's Judicial Assistant will schedule a hearing and coordinate transportation of the incarcerated litigant with the Department of Correction.

## **VII. EXAMPLE NOTICES**

1. **Dismissal Notice/Order (120 day) - Rule 4(j):**
  - Issued for all cases that have not had service perfected within 90 days of filing of the Complaint.  
(See Exhibit A)
2. **Dismissal Notice/Order - Rule 41(e):**
  - Issued monthly, following six (6) months of no activity.  
(See Exhibit B)
3. **Confirmation of Dismissal Notice/Order (30 day):**



- Issued for all cases reported to the Court as having been settled.  
(See Exhibit C)
- 4. **Confirmation of Dismissal Pursuant to Binding Arbitration Notice/Order (60 day):**
  - Issued for all cases for which the parties have agreed to submit to binding arbitration.  
(See Exhibit D)
- 5. **Bankruptcy/Dormant Docket Notice - Rule 41(g):**
  - Issued upon the Court receiving notification of a Bankruptcy filing.  
(See Exhibit E)
- 6. **Mortgage Foreclosure/Dormant Docket Notice - Superior Court Directive 2017-6:**
  - Issued upon the Court receiving a request for removal from the active docket and added to the dormant docket.  
(See Exhibit F)
- 7. **Sealed Case/Document Notice/Order – Rule 5(g)(5):**
  - Issued 30 days after final disposition of a case and on sealed case(s) or cases containing sealed documents.  
(See Exhibit G)
- 8. **Removal of Exhibit Notice/Order - Rule 77(f)(3):**
  - Issued after the final disposition of a case.  
(See Exhibit H)

## VIII. ADDITIONAL RESOURCES

- A. Below are additional links that can be found on the Superior Court's webpage at: <http://courts.delaware.gov/superior/>
- [ADR - "Alternative Dispute Resolution"](#)
  - [Bench/Bar Liaison Program](#)
  - [Case Information Statement \(CIS\)](#)
  - [Civil Motion and VOP Schedule](#)

- [Civil Pattern Jury Instructions](#)
- [Complex Commercial Litigation Division \(CCLD\)](#)
- [Court Connect: Civil Case Check- Online Database](#)
- [Criminal Pattern Jury Instructions](#)
- [Delaware Uniform Rules of Evidence](#)
- [Electronic Filing: Superior Court Civil Rule 79.1](#)
- [eLitigation](#)
- [eFiling & Docketing](#)
- [Fees](#)
- [File & ServeXpress](#)
- [Forms](#)
- [Judicial Preferences Page](#)
- [Legal Assistance](#)
- [Online Delaware Code](#)
- [Routine Motion Schedule](#)
- [Rules of Civil Procedure](#)
- [Rules of Criminal Procedure](#)
- [Trial Handbook](#)

## **EXHIBIT A**



### **STATE OF DELAWARE SUPERIOR COURT**

Leonard L Williams Justice Ctr  
500 N King Street, Suite 500  
Wilmington, DE 19801-3746

**Kenneth P. Creedon**  
Prothonotary, New Castle County

MAIN: 302-255-0823  
TTY: 302-255-2296  
[courts.delaware.gov/superior](http://courts.delaware.gov/superior)

To: Attorney

Date:

Re: PLAINTIFF V. DEFENDANT  
Civil Action Number:  
Summons - Time Limit for Service

Dear Counsel:

According to the civil docket, the above-captioned case has been pending in Superior Court for more than ninety (90) days without proof of service of the summons and complaint upon the defendant(s). You have until the 120<sup>th</sup> day after filing to accomplish service upon the defendant(s) or provide the Court with a written explanation of good cause why service has not been made within 120 days after the filing of the complaint.

If no proof of service or written explanation regarding service is received by the 120th day after filing, in accordance with Superior Court Civil Rule 4(j), this action will be dismissed by the Court.

Sincerely,

Judicial Case Manager

## **EXHIBIT B**



### **STATE OF DELAWARE SUPERIOR COURT**

Leonard L Williams Justice Ctr  
500 N King Street, Suite 500  
Wilmington, DE 19801-3746

**Kenneth P. Creedon**  
Prothonotary, New Castle County

MAIN: 302-255-0823  
TTY: 302-255-2296  
[courts.delaware.gov/superior](http://courts.delaware.gov/superior)

To: Attorney

Date:

Re: PLAINTIFF V. DEFENDANT  
Civil Action No:  
Rule 41(e) Notice

Dear Counsel:

In accordance with Superior Court Civil Rule 41(e), this notice is to advise you that the above-referenced action has been pending in this court for more than six (6) months and that no proceedings have been taken therein during the past six (6) months.

If no proceedings are taken within the next thirty (30) days, this action will be dismissed by the Court for want of prosecution.

Sincerely,

Judicial Case Manager

## **EXHIBIT C**



### **STATE OF DELAWARE SUPERIOR COURT**

Leonard L Williams Justice Ctr  
500 N King Street, Suite 500  
Wilmington, DE 19801-3746

**Kenneth P. Creedon**  
Prothonotary, New Castle County

MAIN: 302-255-0823  
TTY: 302-255-2296  
[courts.delaware.gov/superior](http://courts.delaware.gov/superior)

To: Attorney

Date:

Re: PLAINTIFF V. DEFENDANT  
Civil Action Number:  
Dismissal Letter

Dear Counsel:

This letter is a confirmation that the Court has been notified by the Plaintiff or Plaintiff's Counsel in the above referenced case that the parties have settled this matter as to all claims and all parties. In order for the Court to close its file, a "Stipulation of Dismissal" must be filed. If a stipulation of dismissal, or a letter stating the status of this matter, is not filed with the Court within thirty (30) days of the date of this letter, the Court will dismiss this action with prejudice.

Sincerely,

Judicial Case Manager

## **EXHIBIT D**



### **STATE OF DELAWARE SUPERIOR COURT**

Leonard L Williams Justice Ctr  
500 N King Street, Suite 500  
Wilmington, DE 19801-3746

**Kenneth P. Creedon**  
Prothonotary, New Castle County

MAIN: 302-255-0823  
TTY: 302-255-2296  
[courts.delaware.gov/superior](http://courts.delaware.gov/superior)

To: Attorney

Date:

RE: PLAINTIFF V. DEFENDANT  
Case Action Number:  
Binding Arbitration Letter

Dear Counsel:

This letter is a confirmation that the court has been notified by counsel in the above captioned action that the parties have agreed to submit this case to binding arbitration. In order for the Court to close its file, a Stipulation of Dismissal must be filed by the parties. If a Stipulation of Dismissal, or, in the alternative, a letter stating the status of this matter is not filed with the Court within sixty (60) days of the date of this letter, the Court will dismiss this action with prejudice.

Thank you for your prompt attention to this matter.

Sincerely,

Judicial Case Manager

## **EXHIBIT E**



### **STATE OF DELAWARE SUPERIOR COURT**

Leonard L Williams Justice Ctr  
500 N King Street, Suite 500  
Wilmington, DE 19801-3746

**Kenneth P. Creedon**  
Prothonotary, New Castle County

MAIN: 302-255-0823  
TTY: 302-255-2296  
[courts.delaware.gov/superior](http://courts.delaware.gov/superior)

To: Attorney  
Date:  
RE: PLAINTIFF V. DEFENDANT  
Civil Action Number:  
Bankruptcy Letter

Dear Counsel:

In accordance with Superior Court Civil Rule 41(g), this notice is to advise you that the above referenced case was moved from the active docket to the bankruptcy docket today. Twenty-four (24) months from the date of this letter, the action shall be dismissed without further notice unless, prior to the expiration of the twenty-four (24) month period a party files a motion with the originally assigned Judge to extend the period for good cause.

Sincerely,

Judicial Case Manager

## **EXHIBIT F**



### **STATE OF DELAWARE SUPERIOR COURT**

Leonard L Williams Justice Ctr  
500 N King Street, Suite 500  
Wilmington, DE 19801-3746

**Kenneth P. Creedon**  
Prothonotary, New Castle County

MAIN: 302-255-0823  
TTY: 302-255-2296  
[courts.delaware.gov/superior](https://courts.delaware.gov/superior)

To: Attorney

Date:

RE: PLAINTIFF V. DEFENDANT  
Civil Action Number:  
Dormant Docket Letter

Dear Counsel:

In accordance with Superior Court Directive 2013-4, this notice is to advise you that the above referenced case was moved from the active docket to the Dormant docket today. Twenty-four (24) months from the date of this letter, the action shall be dismissed without further notice unless, prior to the expiration of the twenty-four (24) month period a party files a motion with the originally assigned Judge to extend the period for good cause.

Sincerely,

Judicial Case Manager



## **EXHIBIT G**



### **STATE OF DELAWARE SUPERIOR COURT**

Leonard L Williams Justice Ctr  
500 N King Street, Suite 500  
Wilmington, DE 19801-3746

**Kenneth P. Creedon**  
Prothonotary, New Castle County

MAIN: 302-255-0823  
TTY: 302-255-2296  
[courts.delaware.gov/superior](https://courts.delaware.gov/superior)

To: Attorney

Re: PLAINTIFF V. DEFENDANT  
Civil Action Number:  
Sealed Document Letter

Dear Counsel:

In accordance with Superior Court Rule 5(g)(5), this is to advise you the sealed documents in the above-captioned case will either be released from confidential treatment or be destroyed depending on the requirements of the retention schedule.

If the retention schedule requires the document to be retained, the document will be released from confidential treatment unless application for further confidential treatment for good cause is made to the Court within thirty (30) days of this notice. If the retention schedule requires the document to be destroyed, the document will be destroyed, if not withdrawn from the Prothonotary's Office within thirty (30) days from the date of this notice.

If the Court is required to destroy the documents, the costs of disposal could be assessed against the case. The current Superior Court Retention Schedule can be reviewed on the Superior Court website at: [courts.delaware.gov/superior](https://courts.delaware.gov/superior)

Sincerely,

Judicial Case Manager

## **EXHIBIT H**



### **STATE OF DELAWARE SUPERIOR COURT**

Leonard L Williams Justice Ctr  
500 N King Street, Suite 500  
Wilmington, DE 19801-3746

**Kenneth P. Creedon**  
Prothonotary, New Castle County

MAIN: 302-255-0823  
TTY: 302-255-2296  
[courts.delaware.gov/superior](http://courts.delaware.gov/superior)

TO: Attorney

RE: PLAINTIFF V. DEFENDANT  
Civil Action No:  
Exhibit Letter Return Notice

Dear Counsel:

Trial in the above matter is concluded. The appeal time has expired and the exhibits are ready to be returned. Please respond within ten (10) days of this letter if you want exhibits:

☐ Picked-up

☐ Disposed

If we do not receive a response, the Court will dispose of the exhibits without further notice.

Sincerely,

Judicial Case Manager

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No action having been taken in accordance with the above, **IT IS SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2019 the Prothonotary's office is to dispose of the exhibits.

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Judge

**THE ABOVE PLAN IS HEREBY ADOPTED BY THE PRESIDENT JUDGE  
OF THE SUPERIOR COURT OF THE STATE OF DELAWARE IN NEW  
CASTLE COUNTY THIS 20 DAY OF June, 2019.**

\_\_\_\_\_  
**President Judge**

\_\_\_\_\_  
**Resident Judge**

\_\_\_\_\_  
**Civil Administrative Judge**