

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT

PROCEDURAL ORDER OF THE BUSINESS LITIGATION SESSION
REGARDING REPLY MEMORANDA

The following Procedural Order regarding reply memoranda shall apply to all cases in the Business Litigation Session:

Leave of court is hereby granted to a moving party filing any motion in the Business Litigation Session 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.

All counsel should recognize 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. Moreover, counsel should not infer from this Procedural Order that the court needs or expects a reply memorandum as part of routine motion practice.



Janet L. Sanders
Justice of the Superior Court
Administrative Justice of the
Business Litigation Session

Dated: March 1, 2019
(Amending Procedural Order dated January 2, 2008)