

THE COURTS

Title 255—LOCAL COURT RULES

LACKAWANNA COUNTY

Rescission and Adoption of Local Rules of Court Governing Discovery Matters; 94 CIV 102

Order

And Now, this 23 day of March, 2000, the Court hereby amends Lackawanna Local Rule of Civil Procedure 4000—Motion Practice for Discovery Matters, adopts local rule 4000.1, new rule 4019 and rescinds old rule 4019.

This amendment, adoption and rescission shall become effective thirty (30) days from the date of publication in the "*Pennsylvania Bulletin*" in accordance with Pa.R.C.P. Rule 239.

It Is Further Ordered that seven (7) certified copies of the new rules shall be filed with the Administrative Office of the Pennsylvania Courts, two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the "*Pennsylvania Bulletin*," one (1) certified copy shall be filed with the Civil Procedural Rules Committee of the Pennsylvania Supreme Court.

It Is Further Ordered that these new rules shall be kept continuously available for public inspection and copying in the office of the Clerk of Judicial Records, Civil Division.

By the Court

JAMES J. WALSH,
President Judge

DISCOVERY

Rule 4000. Motion Practice for Discovery Matters.

(a) Any court order regarding discovery, including orders involving sanctions, which a party seeks pursuant to any provisions of Pa.R.C.P. 4001 thru 4020 or any provision of the Rules of Civil Procedure of the Court of Common Pleas of Lackawanna County pertaining to discovery shall be sought by the presentation to the court of a motion in compliance with the provisions of Lacka. Co. R.C.P. 206.1.

Rule 4000.1. Motion for Presentation before a Special Trial Master.

(a) Presentation to the court of a motion pursuant to Lacka. Co. R.C.P. 4000 shall in all circumstances be initially presented to and decided by a Special Trial Master appointed by the Court who shall follow the same procedures set forth in Lacka. Co. R.C.P. 4000.

(b) An order of the Special Trial Master may be appealed de novo by presentation of an appeal motion to the Court, together with proof of payment of the Clerk of Judicial Records of an appeal cost of an amount to be set by the court from time to time. The appeal motion shall be filed within ten days of the Order of the Special Trial Master and shall be considered by the court pursuant to Lacka. Co. R.C.P. 4000.

(c) Motions practice before the Special Trial Master shall be conducted in compliance with Lacka. Co. R.C.P. 206.1 and the Master shall hear motions in the Lackawanna County Courthouse on Tuesday and Thursday at 9:30 a.m., unless otherwise agreed by counsel and the Master or by order of the Master.

(d) Presentation of a motion in any case in which the Special Trial Master is involved shall be presented to the court rather than through the procedure set forth in this Rule.

Rule 4019. Petitions for Sanctions before a Special Trial Master.

(a) Any party seeking sanctions pursuant to Pa.R.C.P. 4019 for violation of an order of the Special Trial Master pursuant to Lacka. Co. R.C.P. 4000.1, of an order of the court pursuant to Lacka. Co. R.C.P. 4000, or otherwise pursuant to Pa.R.C.P. 4019 shall, in all circumstances, initially do so by motion to the Special Trial Master pursuant to Lacka. Co. R.C.P. 4000.1.

(b) Any order of the Special Trial Master granting or denying a sanction may be appealed de novo by presentation of an appeal motion to the Court, together with proof of payment to the Clerk of Judicial Records of an appeal cost of an amount to be set by the court from time to time, and said appeal motion shall be considered by the court pursuant to Lacka. Co. R.C.P. 4000.

[Pa.B. Doc. No. 00-599. Filed for public inspection April 7, 2000, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Hardge Davis, Jr., having been suspended from the practice of law in the State of New Jersey for a period of three months by Order of the Supreme Court of New Jersey dated October 6, 1999, the Supreme Court of Pennsylvania issued an Order dated March 23, 2000, that Hardge Davis, Jr. is suspended from the practice of law in this Commonwealth for a period of three months. In accordance with the Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,
*Executive Director & Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 00-600. Filed for public inspection April 7, 2000, 9:00 a.m.]