

GETTING A MOTION SET BY THE DISCOVERY COMMISSIONER

Before setting a Motion before the Discovery Commissioner, be sure it contains (at a minimum) the following:

1. Notice of Motion [E.D.C.R. 2.20 (a)];
2. Affidavit of moving counsel [E.D.C.R. 2.34 (d)];
3. Points and authorities [E.D.C.R. 2.20 (a)];
4. Original pl us 2-3 copies

NOTE: **Do Not** serve a motion on opposing counsel **prior** to getting the date and time of hearing and filing the motion with the Court.

If requesting an **Order Shortening Time**, be sure to include the following (in addition the items listed above):

1. OST section with signature block for Discovery Commissioner to sign [E.D.C.R. 2.34 (c)];
2. Appropriate affidavit supporting need for OST (E.D.C.R. 2.26). You May include this information in the 2.34 affidavit mentioned above.

PLEASE NOTE: If **OST** is **granted** setting the hearing in less than 10 days, you must have personal service (not mailed) of motion. ROC or FAX service (E.D.C.R. 2.26 and 7.26).

Motions set in the **regular course** are to be e-filed. Master Calendar will provide the hearing date and time. A file stamped courtesy copy must to be delivered to the Discovery drop off (**5th Floor**).

OST motion (with copies) to be dropped off in the Discovery Commissioner's "**RUNNER DROP OFF**" box on the **5th Floor** for assigning a **date and time** on motion and conforming copies [E.D.C.R. 2.34 (c)].

Runner should return either the **same day or next morning** and check the "**RUNNER PICK-UP**" box for OST's (also on the **5th floor**).

PLEASE NOTE: **due to the number of motions handled by our office daily, we are unable to call offices when motions are ready to be picked-up.**

Once the OST motion has been provided a hearing date/time, it must be then e-filed.

Serve copy(ies) on opposing counsel (E.D.C.R. 7.26).

**IF YOU HAVE ANY QUESTIONS, PLEASE CALL THE DISCOVERY
COMMISSIONER'S OFFICE AT 671-4486.**