

State of Florida
Ninth Judicial Circuit of Florida

ORANGE COUNTY COURTHOUSE
425 N. ORANGE AVENUE, SUITE 2035
ORLANDO, FLORIDA 32801

LISA T. MUNYON
CIRCUIT JUDGE

407-836-2470
WWW.NINTHCIRCUIT.ORG

LISA SHORTEN
JUDICIAL ASSISTANT

PROCEDURES – COMPLEX BUSINESS LITIGATION
DIVISION 43

CHAMBERS: 2035

COURTROOM: 19-C (For jury trials ONLY unless otherwise noted by the Court)

HEARING ROOM: 20B

RULES: The Court expects all those appearing in division 43 to be familiar and to comply with the rules governing business court. The rules can be found on the court’s website at www.ninthcircuit.org, then click the attorneys tab and follow the link to the “complex civil litigation court” page.

EX-PARTE and SHORT MATTERS Monday - Thursday at 8:30 a.m. in Hearing Room 20B. The court will conduct non - evidentiary hearings that are 20 minutes or less at this time. These hearings are not scheduled with the JA but must be coordinated with opposing counsel on a date that Judge Munyon is available. All other hearings must be set with the JA pursuant to section 5 of the business court rules. Because the court files are available electronically, the attorney need not obtain the court file for the hearing. Judge Munyon will allow out-of-town attorneys to appear by phone. Please contact the JA for instructions. Please check JACS for Judge Munyon’s unavailability before scheduling ex-parte hearings. The Court does not arrange for alternate Judges to cover during her absence.

REGULARLY SCHEDULED HEARINGS Unless otherwise indicated in the business court rules, all requests for oral argument must be made by motion. The motion should indicate the length of the hearing requested. The Court will enter an order either granting or denying oral argument and setting forth the amount of time permitted for the hearing, if granted. Once oral argument is granted, the movant shall coordinate the hearing time with opposing counsel. When requesting hearing time, please refer to the “hearing times” link of the complex litigation court page on the court’s website at www.ninthcircuit.org. Once hearing time is coordinated, please call the JA at 407-836-2470 to secure the hearing time. Please do not leave a voice mail to confirm a hearing time. You must speak with the JA to confirm the hearing. Please call the JA immediately with any cancellations so that the hearing time may be afforded to other parties.

Continuation - Division 43 Procedures

Last minute cancellations prevent use of the hearing time by other parties. If hearings are cancelled with less than 10 days notice without good cause, the Court may not allow rescheduling of the hearing. Please do not cross-notice motions without prior approval of opposing counsel and JA.

COURT COPIES: The Court requires courtesy copies on all matters set for hearing. Counsel may provide courtesy copies in paper or electronically. Please send a courtesy copy of the motion(s) to the Court at least business 5 days but not more than 10 days prior to the hearing. All case law and memos must be provided to the Court at least 5 business days but not more than 10 days prior to the hearing.

If provided electronically, counsel must insure that the electronic copy is indexed and that the index contains a hyper-link to the document/exhibit/case indexed. Electronic courtesy copies may be sent via email to div43copies@ocnjcc.org. The subject line of the email shall contain the case number, first plaintiff's name, and the date of the scheduled hearing. If the electronic courtesy copy does not meet the above parameters, it will be deleted and an email sent indicating that a paper copy is required. Please DO NOT use this email address to schedule hearings as any such emails will be deleted without action by the Court.

DISCOVERY MOTIONS: Judge Munyon prefers that all discovery motions be scheduled with the General Magistrate. Please refer to Magistrate Glatt's instructions for scheduling in JACS under Magistrate Circuit Civil 2.

TELEPHONIC HEARINGS: Judge Munyon allows out-of-town attorneys to appear by telephone if the hearing is set up as a telephonic hearing with the JA in advance and the hearing is scheduled for 30 minutes or less. Only one party may appear by phone per hearing (unless one of the attorneys sets up a conference call). The attorney should place the call directly into the hearing room at the number provided by the JA at the time of the scheduled hearing. If the attorney attending the hearing by phone schedules the hearing, the attorney shall provide to the Court, at least 3 days prior to the hearing, a proposed Order on the Motion being heard along with copies and envelopes if being mailed or by ECF if all parties are receiving pleadings by ECF on the case. If submitting proposed order by ECF, please indicate that the Order is for an upcoming hearing and the date of the hearing.

EMERGENCY HEARINGS: A copy of the motion along with a Request for Emergency Hearing must be provided to the Court by hand delivery, at which time the motion will be reviewed. The JA will then contact counsel by telephone to either

Continuation - Division 43 Procedures

provide emergency hearing time or, if the Court determines that the matter is not an emergency, to instruct the parties to schedule a hearing on the first available time on the regular calendar.

CONTINUANCES: Judge Munyon does not automatically grant motions or stipulations for continuance. Please set the matter for a hearing at ex-parte with notice to all parties.

WITHDRAWAL OF COUNSEL: Motions to Withdraw as Counsel should be set during ex-parte with notice to all parties if client consent cannot be obtained. If you have client consent (attached to the motion) you may submit a copy of the motion along with a proposed order through electronic court filing (ECF) system. Copies of the proposed order and addressed, stamped envelopes must be provided for all non-ECF participants. In the proposed order, please include the name and address of the client to whom the pleadings will be sent in the body of the order as well as in the certificate of service. If the client is a corporation or other legal entity, allow no more than thirty (30) days to obtain substitute counsel.

RESIDENTIAL FORECLOSURES: Please see Court's website under Foreclosure Division A for scheduling of residential mortgage and timeshare foreclosure cases. If Foreclosure Division A is deactivated, Motions for Summary Judgment in foreclosure cases may be set for hearing during ex-parte. Telephonic appearances are no longer permitted.

ORDERS: All proposed orders, except residential foreclosures, shall be filed in Word format, through the electronic court filing system accompanied by a cover letter. Please include the date the hearing was held in the first paragraph of the order. **Orders submitted after a hearing must be approved by opposing counsel. Please indicate in the cover letter that opposing counsel has reviewed and approved the form of the order when submitting to the Court.** If the form of the order cannot be agreed upon, each side should prepare a proposed order and submit same to chambers within seven (7) days of the original hearing. The Court does not hold orders waiting for objections. **If you want to know if a specific order has been signed by the Judge, you should first check the clerk's system to see if it has been docketed.**

Proposed orders in residential foreclosures cases must contain a cover letter indicating that opposing counsel/party has approved the form of the order or that the opposing party has defaulted or failed to respond to counsel. Counsel must include sufficient copies and addressed stamped envelopes for all parties to receive conformed copies.

Continuation - Division 43 Procedures

TRIAL NOTICES: Trials are heard within a three (3) week trial period. **Appearance at the pre-trial conference by telephone is not permitted.** Lead attorneys **MUST** be present at the pre-trial conference. Motions are not heard during pre-trial conference. All motions must be scheduled for hearing **PRIOR** to pre-trial conference.

VOICE MAIL: Voice mail is routinely updated to state if the Judicial Assistant is in or out of the office for any reason. If you reach the voice mail during the work day, the Judicial Assistant has been called away from her desk to assist the Judge or a litigant, make copies, attend a pre-trial conference or at lunch. Please leave a brief message with your name, phone number and case number, and if calling to schedule a hearing, the date and time of the requested hearing. Your call will be returned. If you receive a busy signal, rest assured the Judicial Assistant is on the line with someone else and will finish that call shortly. Please avoid calling during lunch time.

Please note: These procedures apply to **Judge Lisa T. Munyon** only. It is recommended that you refer to the procedure of each Judge or contact the Judicial Assistant in the division for instructions.