

**IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
FIRST & SECOND JUDICIAL DISTRICT**

RE: CIVIL MATTERS PENDING BEFORE JUDGE GIBBS

TENTATIVE GUIDELINES FOR CIVIL CASES

(March 21, 2023)

The Court respectfully requests that attorneys practicing before the Court follow the following guidelines in connection with civil cases pending on Judge Gibb's docket. Please copy all counsel of record and my Court Administrator, Regina Price (regina.price@co.hinds.ms.us), and my Law Clerk, Whitley Pannell (whitley.pannell@co.hinds.ms.us) on all email communications with the Court.

SCHEDULING ORDER

The parties should submit to the Court Administrator, via email, a proposed scheduling order (in the form attached hereto) within sixty (60) days after the first defendant files and Answer to the Complaint. The parties should leave the trial setting blank, and the Court will place the case on a trial calendar. Civil trial calendars will be two or three week terms. If the parties are unable to reach an agreement on a proposed scheduling order, please contact the Court Administrator by email, and the Court will either enter a scheduling order or set a telephonic case management conference.

MOTIONS

All Rule 12 motions to dismiss and Rule 56 motions for summary judgement must be supported by a separate memorandum or brief. With respect to all other motions, it is not necessary for the party seeking relief to file a memorandum or brief with the motion, as long as all necessary facts and law are contained in the motion. Respondent **SHALL** file a response to any motion within ten (10) days after service of the motion. The movant **MAY** file a reply in

support of any motion within five (5) days after service of the response. Movants for summary judgement shall also file a itemization of facts relied upon and not generally disputed. The respondent shall file a pleading indicating either agreement with each statement of fact or state the specific reason(s) for disagreement with each statement of fact.

If any party wishes to request a hearing on a civil motion, the party shall contact the Court Administrator and request a hearing date. Once a hearing date is approved by the Court, the moving party shall file a notice of hearing and provide to the Court a hard copy of the complete briefing in connection with the motion. If the motion seeks dismissal of the complaint or summary judgement, the moving party shall also provide to the Court a hard copy of the operative complaint and answer.

If the parties do not wish to request a hearing on a civil motion, upon completion of the briefing, the movant shall send a hard copy of the briefing to the Court with a cover letter requesting that the Court resolve the motion on the papers.

DISCOVERY MOTIONS

The Court would like to minimize briefing and expedite rulings in connection with discovery disputes. If the parties are unable to resolve a discovery dispute through good-faith negotiations, a telephonic hearing will be scheduled. Prior to the telephonic discovery hearing, the parties may submit to the Court, via email, a summary of the discovery issue(s) in dispute, attaching a copy of the discovery request(s) in dispute and the disputed response(s). The Court strongly encourages parties to resolve disputes before seeking a telephonic hearing. Improper objections to legitimate discovery requests may lead to sanctions being imposed.

PROPOSED AGREED ORDERS

If the parties are seeking relief through a proposed agreed order, please provide to the

Court, via email, the proposed order, with counsel signatures (in a format that may, if necessary, be edited by the Court).

EMERGENCY RELIEF

If a party is seeking emergency relief, please contact the Court by email to request a hearing and attach to the email a copy of the pleading or other paper seeking the emergency relief.

MEDIATION/SETTLEMENT CONFERENCE

Pursuant to the Mississippi Court Annexed Mediation Rules for Civil Litigation and Rule 3 of the Local Rules of the Seventh Circuit District, the Court will require the parties to complete a private mediation in good faith, thirty (30) days after the discovery deadline. Alternatively, if the case is set for a jury trial, with the consent of **all** parties, the Court will conduct a settlement conference. If the parties would like to schedule a settlement conference with the Court, please contact the Court Administrator by email to request available dates.

PRE-TRIAL CONFERENCE/PRE-TRIAL ORDER

At least five (5) days prior to trial, the parties shall submit to the court a proposed pre-trial order (Federal version is preferred), as well as proposed jury instructions.