

NOTE TAKING OUTLINE

Be a Pit Boss! Gain the Hometown Advantage, Even When You Are an Outsider: Understanding Locality Differences in Commercial and Consumer Matters.

Tuesday, October 10, 2017

10:45 – 11:45

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1. Program Objectives:

- Identify key practice variations.
- Discuss best practices to address the variations.
- Suggest achievable changes to foster uniformity.

2. Key Questions:

- Identify sources of the greatest conflict.
- Do the differences affect decision making or case approach?
- Do the differences affect venue choice?

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3. Areas of Greatest Variance/Impact:

A. Local Rules.

- Survey says: Variations in local rules is a significant factor in considering where to file.
 - Agree/Disagree?
 - Why/why not?
- Identify dramatically different/ significant local rule variations you have encountered.
- Why do these significant variations exist?
- Ideas for best practices and achievable change?

B. Motion Practice (including fee matters).

- Survey says: Motion practice variation is a significant factor in considering where to file.
 - Agree/Disagree?
 - Why or why not?
- Should oral argument be permitted on every motion/matter?
 - Why/why not?

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- Tips for handling motions in jurisdictions with varying procedures.
- Ideas for best practices and achievable change?

C. Evidentiary Requirements.

- Survey says: Requirements for presentation of evidence varies greatly among jurisdictions.
 - Agree/Disagree?
 - Why/why not?
- Do you favor the requirement for presentation of evidence in support of all matters?
- Ideas for best practices and achievable change?

4. Program Materials:

- Summary of Practitioner's Survey.
- Summary of Judge's Survey.
- Cross Comparison and Analysis of Local Rules:
 - 10 key topics
 - 8 significant jurisdiction

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