

RULE 9045-1 - CONTINUANCES

(a) Adversary Proceeding Trials and Extended Hearings. No continuance of adversary proceeding trials or for matters set for extended hearing time pursuant to D. Me. LBR 9013-1(d)(4) will be granted, even upon stipulation of counsel, except upon a written motion filed at the earliest practicable time in advance of the trial or hearing, and approved in writing by the Court.

(b) Routine Motions - Agreement.

~~- Routine motions, which have not been scheduled for extended hearing pursuant to D. Me. LBR 9013-1(d)(4) may be continued or rescheduled upon agreement of all counsel without the necessity of filing a motion for continuance. The request shall, however, be made or confirmed in writing, and the writing shall include an express representation of consent.~~

~~(1) Scope of Rule. Routine motions, which have not been scheduled for extended hearing pursuant to D. Me. LBR 9013-1(d)(4) may be continued or rescheduled upon agreement using the appropriate CM/ECF docket event, and without the necessity of filing a motion for continuance, subject to the following:~~

~~(i) **Consents Required.** The filing of such a docket event shall be the certificate of the filer that the consent of all necessary parties has been obtained;~~

~~(ii) **Timing.** No agreed upon continuance shall be filed after 4:30 PM the day before the scheduled hearing; and~~

~~(iii) **Limitations.** Agreed upon continuances shall be limited to a maximum of two (2) per matter, and, in each instance, shall not continue any matter for longer than forty-five (45) days.~~

(2) Motion Required. Any continuance, even one agreed upon by the parties, that is outside the scope of part one of this rule must proceed by written motion filed in accordance with the pertinent provisions of D. Me. LBR 9013-1.

(c) Routine Matters - Without Agreement. Parties seeking a continuance of scheduled hearings over the objection of other affected parties must proceed by written motion filed and prosecuted in accordance with pertinent provisions of D. Me. LBR 9013-1, as modified by this rule. With regard to such motions, the following procedures apply:

- (1) The motion shall be filed no fewer than three (3) days before the scheduled hearing, unless cause for later filing is made apparent on the face of the motion;
- (2) The notice shall set a deadline for response no later than twenty-four (24) hours prior to the scheduled hearing; and
- (3) Such motions will be acted upon without hearing, unless the movant or an affected party expressly requests a hearing.