

# MEMORANDUM

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**To:** Akron Practitioners  
**From:** Judge Shea-Stonum  
**Date:** March 13, 2008  
**Subject:** Determining if a hearing will be evidentiary

In keeping with the Court's commitment to make a definitive statement regarding the nature of hearings on the Court's docket, the Court has adopted the procedure set forth below.

Absent an order of the Court otherwise, in all contested matters, the initial hearing will be treated as a scheduling conference with a focus on any discovery matters. The date ultimately scheduled for the evidentiary hearing is subject to availability on the Court's calendar.

Parties who are represented by counsel are not required to be present at an initial hearing but counsel shall be present. [Counsel may request to appear telephonically at an initial hearing provided they make such a request by not later than 48 hours prior to the scheduled hearing date and are in compliance with all the provisions set forth in Judge Shea-Stonum's memorandum regarding telephonic participation (found on the Court's website [www.ohnb.uscourts.gov](http://www.ohnb.uscourts.gov)). Counsel who are not authorized ECF Users must appear in person.]

Requests for expedited or emergency evidentiary hearings must be in writing, filed with the Court and served on parties in interest. The Court will consider each request on a case by case basis. If the request is granted, the Court will enter a scheduling order setting forth the evidentiary hearing date and deadlines for filing stipulations, proposed findings of fact and conclusions of law, exhibits and witness lists.