

September 13, 2024, Status Update
Ecclesiastical Court for the Trial of a Bishop
Anglican Church in North America

Court for the Trial of a Bishop Enters Scheduling Order In the Bishop Ruch Matter

On September 4, 2024, the Ecclesiastical Court for the Trial of a Bishop entered a Scheduling Order in the Matter of the Rt. Rev. Stewart Ruch, III, the purpose of which is to expedite the orderly completion of pretrial preparation and setting a trial date. The Court adopted the following schedule for pretrial proceedings in the matter.

1. Trial of this matter shall begin on July 14, 2025, at 9:00 AM Central Time.
2. By January 15, 2025, each party shall have submitted all written discovery to the opposing party. The responding party must serve its answers and any objections within 30 days after being served with interrogatories.
3. By March 31, 2025, all Discovery must be completed. The Court follows the rule that the completion date means that all discovery must be completed by that date. For example, interrogatories must be served more than thirty days prior to the completion date to permit the opposing party to respond before the discovery deadline. Untimely discovery requests are subject to objection on that basis. Counsel, by agreement, may conduct discovery after the formal completion date but should not expect the Court to resolve discovery disputes arising after the discovery completion date.
4. Absent agreement of the parties or Order of the Court to the contrary, the parties shall be limited to no more than fifteen (15) depositions and no more than twenty-five (25) interrogatories per side.
5. By May 6, 2025, each party shall have filed with the Court and served on opposing counsel a list of all fact witnesses (other than rebuttal or impeaching witnesses) who may be called to testify at trial, showing the name, address, and telephone number of each fact witness.
6. On May 15, 2025, counsel for each party shall meet with the Court for a pretrial conference to consider all pending pleas, motions, and exceptions, the possibility of obtaining stipulations of fact, any motions in limine, and other matters as directed by the Court.
7. By the date of the pretrial conference, each party shall have prepared a list of all anticipated witnesses expected to testify and documentary or other tangible exhibits that may be introduced at trial and shall have filed the list with the Court and provided it to opposing counsel.
8. Parties shall file any designated portion of depositions to be read or shown or played at trial by videotape thirty (30) days before trial. Objections to proposed deposition designations shall be filed twenty (20) days before trial. Counter designations are due ten

(10) days before trial, and objections to counter designations are due seven (7) days before trial.

9. Copies of written interrogatories, answers and objections to interrogatories, notices of oral depositions, transcripts of oral depositions, requests for the production of documents and other things, responses to requests for production, requests for admissions, and responses to requests for admissions shall not be filed with the Court as a matter of course. Discovery materials are filed only in limited circumstances, including if ordered by the Court, if necessary to the presentation or defense of a motion, or if required by law or rule.
10. Correspondence exchanged during the course of litigation either between opposing counsel or between counsel for one party and an unrepresented party should be filed with the Court only to comply with an order of the Court or when necessary to the presentation and consideration of a motion and only when the filing of traditional discovery material will clearly not suffice for the purpose. Counsel should carefully redact correspondence to exclude irrelevant and prejudicial material.
11. Filing Discovery or other Papers Under Seal. In certain rare circumstances involving confidential information, the Court may order the filing under seal of discovery in order to preserve the integrity of the information. However, the Court wishes to minimize the number of documents filed under seal. No paper may be filed under seal without prior approval by the Court and upon the demonstration of a sufficient legal and factual basis.
12. Service – Certificate of Service. A certificate of service shall accompany every pleading and every paper required to be served on any party or nonparty to the litigation. The certificate shall show the date and method of service or the date of acceptance of service and shall show the name and service address of each person upon whom the paper has been served. If one or more persons are served by facsimile transmission or electronic mail (e-mail), the certificate shall also show the telefacsimile number or e-mail address of each person so served in that manner. Each certificate of service shall be signed.
13. Counsel shall confer in good faith to resolve any discovery dispute. If counsel are unable to resolve the dispute, they must first file jointly with the court, a concise description of the issues in dispute, each party's position on the disputed issues, and the parties' joint availability for an on-the-record telephone conference. The court will then respond as soon as practicable to schedule a telephone conference and provide the parties with call-in information.

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