

Table of Contents

CHAPTER 1. MOTION TO STRIKE

I. OVERVIEW AND AUTHORITY

- § 1:1 Suggested motion text
- § 1:2 Overview of motion
- § 1:3 Statutory authority [Practice Book 1998 §§ 10-39 to 10-45]
- § 1:4 General authorities—Typical use of motion—Generally
- § 1:5 — —Arising from discovery abuse
- § 1:6 — —Followed by judgment on the pleadings [Practice Book 1998 § 10-44]
- § 1:7 — —Where time to amend complaint or answer expires [Practice Book 1998 § 10-44]
- § 1:8 Grounds for motion to strike [Practice Book 1998 § 10-41]

II. KEY PROCEDURAL REQUIREMENTS

- § 1:9 Generally
- § 1:10 Timing of motion—Generally
- § 1:11 —Subsequent pleading
- § 1:12 Grant of motion: amendment or appeal
- § 1:13 Effect on default
- § 1:14 Evidence on motion—Memorandum of law
- § 1:15 Irrelevant, false or improper matter [Practice Book 1998 § 10-39(a)]—Generally
- § 1:16 —“Sham” pleadings

III. FAILURE TO STATE CAUSE OF ACTION OR CLAIM

- § 1:17 Generally
- § 1:18 Striking “all or any part of any pleading”
- § 1:19 Improper cause of action
- § 1:20 Improper allegation
- § 1:21 —Immaterial allegation
- § 1:22 Amendment
- § 1:23 —Leave to amend
- § 1:24 Improper prayer for relief—Generally
- § 1:25 —Punitive damage allegations—Generally
- § 1:26 —Punitive damage—Allegations against intoxicated drivers

- § 1:27 —Attorney’s fees
- § 1:28 No signature
- § 1:29 Striking other pleadings—Answer or cross complaint
- § 1:30 Untimely pleading

IV. OPPOSITION CITATIONS

- § 1:31 Motion improper
- § 1:32 Liberal construction
- § 1:33 Evidence on motion
- § 1:34 Untimely motion
- § 1:35 Pleading capable of amendment
- § 1:36 Irrelevant, false or improper matter [Practice Book 1998 § 10-39(a)]
- § 1:37 —Sham pleadings
- § 1:38 Failure to state cause of action or claim [Practice Book 1998 § 10-39(a)]—Generally
- § 1:39 —Matter essential to cause of action
- § 1:40 —Pleading defective only in form
- § 1:41 —Material allegations
- § 1:42 —Prayer for relief—Punitive damages
- § 1:43 — —Punitive damages against intoxicated drivers

V. SAMPLE FORMS

- § 1:44 Sample supporting and opposition briefs
- § 1:45 —Motion to strike portions of complaint (attorney’s fees)
- § 1:46 — —Memorandum of points and authorities in support of motion to strike portions of complaint
- § 1:47 —Motion to strike portions of complaint (punitive damages arising from alcohol consumption in vehicle case)—Plaintiff’s opposition to motion to strike
- § 1:48 —Motion to strike portions of complaint (attorney’s fees, punitive damages, and future disability benefits)
- § 1:49 —Memorandum of law in support of motion to strike portions of complaint (attorney’s fees, punitive damages, and future disability benefits)
- § 1:50 —Motion to strike portions of complaint (cause of action)—Negligent investigation by employer—Motion
- § 1:51 — — —Memorandum of points and authorities in support of motion to strike
- § 1:52 — — —Memorandum of points and authorities in opposition to motion to strike
- § 1:53 — —Breach of contract in medical malpractice context—Motion

TABLE OF CONTENTS

- § 1:54 — — —Memorandum of points and authorities in support of motion to strike
- § 1:55 —Motion to strike portions of complaint (causes of action)—Breach of implied covenant of good faith, Unfair Insurance Practices Act claim, Unfair Trade Practices Act claim, and timeliness—Motion and order
- § 1:56 —Motion to strike portions of complaint (special defense)—Plaintiff’s failure to respond to Defendant—Motion
- § 1:57 —Motion to strike portions of complaint (causes of action)—Fraud, aiding and abetting breach of fiduciary duty, tortious interference, piercing corporate veil, theft, conspiracy, and unjust enrichment—Motion
- § 1:58 Motion to strike complaint (failure to join necessary party)—Memorandum of points and authorities in support of motion to strike
- § 1:59 Motion to strike complaint (causes of action)—Negligence and CUTPA violations against particular defendant—Memorandum of points and authorities in support of motion to strike
- § 1:60 Motion to strike complaint in its entirety—Memorandum of points and authorities in support of motion to strike—Breach of restrictive covenants in employment contract
- § 1:61 —Objection to motion to strike and memorandum of law—Securities fraud by ratings agency
- § 1:62 — —Breach of service contract
- § 1:63 Motion to strike affirmative defenses—Opposition—Complaint barred by estoppel, waiver, and laches
- § 1:64 Motion to strike request to revise
- § 1:65 Motion to strike affirmative defenses as not cognizable under Fair Labor Standards Act
- § 1:66 Motion to strike affirmative defenses as unsupported by relevant facts in view of patent law
- § 1:67 Motion to strike affirmative defenses—Estoppel, waiver, and laches
- § 1:68 Motion to strike request to revise—Memorandum of points and authorities in support of motion to strike
- § 1:69 Reply memorandum of law—In support of motion to strike surreply memorandum of law in opposition to motion to dismiss
- § 1:70 Order—Striking affirmative defense

CHAPTER 2. MOTION FOR JUDGMENT ON THE PLEADINGS

I. MOTION TEXT

- § 2:1 Suggested motion text
- § 2:2 Summary of motion

II. KEY SUPPORTING AUTHORITIES

- § 2:3 Authority in general
- § 2:4 —Typical use of motion
- § 2:5 —Relationship to other motions or actions—Demurrer compared
- § 2:6 — —Motion to strike compared
- § 2:7 — —Summary judgment compared
- § 2:8 — —Declaratory relief actions compared
- § 2:9 Grounds for motion—In general
- § 2:10 —Lack of jurisdiction
- § 2:11 —No cause of action stated
- § 2:12 —Where responsive pleading inadequate
- § 2:13 Procedural requirements—Generally
- § 2:14 —Timing of motion—Trial cutoff
- § 2:15 — —Discretion
- § 2:16 —After grant of motion—Leave to amend
- § 2:17 — —Entry of judgment where no timely amendment filed

III. KEY OPPOSITION CITATIONS

- § 2:18 Authority in general
- § 2:19 —Liberal construction of pleadings
- § 2:20 Grounds for motion—Lack of jurisdiction
- § 2:21 —No cause of action stated
- § 2:22 —Where answer fails to state defense
- § 2:23 —Statute of limitations
- § 2:24 Procedural requirements—Leave to amend
- § 2:25 Evidence on motion
- § 2:26 Appellate review

IV. SAMPLE FORMS

- § 2:27 Sample supporting and opposition briefs
- § 2:28 —Motion for judgment on the pleadings—Notice of hearing on motion for judgment on the pleadings
- § 2:29 — —Points and authorities in support of motion for judgment on the pleadings

TABLE OF CONTENTS

- § 2:30 — —Points and authorities in support of motion for judgment on pleadings—Seeking dismissal of complaint alleging discrimination by university
- § 2:31 — —Request for judicial notice in support of defendant’s motion for judgment on the pleadings
- § 2:32 — —Plaintiff’s points and authorities in opposition to motion for judgment on the pleadings

CHAPTER 3. SUMMARY JUDGMENT OR SUMMARY ADJUDICATION

I. MOTION TEXT

- § 3:1 Summary judgment—Motion by defendant
- § 3:2 Summary adjudication—Motion by defendant
- § 3:3 Overview of motion

II. KEY SUPPORTING CITATIONS

- § 3:4 Summary judgment—Authority for motion [Practice Book 1998, § 17-44]
- § 3:5 — —Description and purpose
- § 3:6 — —“Drastic” but necessary measure
- § 3:7 — —“Triable Issues”
- § 3:8 — —“Triable issues”—Triable issues re opposition to motion
- § 3:9 — —Mistake
- § 3:10 — —Summary judgment in specific recent cases— Dangerous condition of property
- § 3:11 — —Personal injury, wrongful death and property damage
- § 3:12 — —Employment and discrimination cases
- § 3:13 — —Premises liability
- § 3:14 — —Contract
- § 3:15 — —Insurance
- § 3:16 — —Legal malpractice
- § 3:17 — —Constitutional cases
- § 3:18 — —Miscellaneous
- § 3:19 Partial summary judgment—Authority
- § 3:20 Summary adjudication of issues—Duty issue
- § 3:21 Procedural considerations—Generally
- § 3:22 — —Conflicting local rules
- § 3:23 — —Timing—Bringing motion
- § 3:24 — —Notice of motion
- § 3:25 — —Opposition and reply
- § 3:26 — —Separate statement—Generally

- § 3:27 — —Opposition separate statement
- § 3:28 — —Required format
- § 3:29 — —Service
- § 3:30 — —Format and content of motion—Moving papers
- § 3:31 — —Opposition papers
- § 3:32 — —Amendment of pleadings
- § 3:33 — —Must be requested
- § 3:34 — —Continuances—Generally
- § 3:35 — —Opposing continuance
- § 3:36 — —Affidavits required
- § 3:37 — —Court’s discretion
- § 3:38 — —“Fees and costs” imposed on requesting party
- § 3:39 — —Oral argument
- § 3:40 — —Memorandum of decision
- § 3:41 Burden of proof—Generally
- § 3:42 — —Burden where defendant brings motion
- § 3:43 — —Shifting based on deficient discovery
- § 3:44 — —Negating plaintiff’s case
- § 3:45 — —Proving affirmative defense
- § 3:46 — —Shifting burden to plaintiff
- § 3:47 — —Burden where plaintiff brings motion
- § 3:48 — —Proving each element
- § 3:49 — —Defendant’s answer
- § 3:50 — —Shifting burden to defendant
- § 3:51 Evidence on motion—Generally
- § 3:52 — —Strict construction of movant’s evidence
- § 3:53 — —Genuine issues of material fact
- § 3:54 — —Pleadings—Acceptable use
- § 3:55 — —Unacceptable use
- § 3:56 — —Admissible supporting evidence—Generally
- § 3:57 — —Affidavits
- § 3:58 — —Discovery responses
- § 3:59 — —Admissions
- § 3:60 — —Inferences
- § 3:61 — —Exhibits
- § 3:62 — —Request for judicial notice
- § 3:63 — —Incorporation by reference
- § 3:64 — —Stipulated Facts
- § 3:65 — —Attacking opposition evidence—Generally
- § 3:66 — —Incompetent affidavits
- § 3:67 — —Admissions
- § 3:68 — —Speculation or conjecture
- § 3:69 — —Objections—Generally
- § 3:70 — —Ruling on objections

TABLE OF CONTENTS

§ 3:71 — —Waiver of objections

III. SANCTIONS

§ 3:72 Generally

§ 3:73 Sanctions against opposing party

§ 3:74 Sanctions against moving party

IV. REVIEW

§ 3:75 Review of motion

§ 3:76 Standard of review

V. KEY OPPOSITION CITATIONS

§ 3:77 Summary judgment—Generally

§ 3:78 — —Drastic remedy

§ 3:79 — —Liberal construction of opposition papers

§ 3:80 — —Mistake in pleadings or discovery

§ 3:81 — —Summary judgment in specific cases—Dangerous condition of property

§ 3:82 — —Personal injury, wrongful death and property damage

§ 3:83 — —Employment and discrimination cases

§ 3:84 — —Premises liability

§ 3:85 — —Contract

§ 3:86 — —Insurance

§ 3:87 — —Legal malpractice

§ 3:88 — —Miscellaneous

§ 3:89 — —Constitutional cases

§ 3:90 Partial summary judgment—Generally

§ 3:91 Procedural considerations—Request for continuance—Generally

§ 3:92 — —“Liberally granted”

§ 3:93 — —Policy favors granting

§ 3:94 — —Continuance for additional discovery

§ 3:95 — —Oral argument

§ 3:96 — —Amendment of pleadings—Generally

§ 3:97 — —Amendment must be requested

§ 3:98 — —Liberally granted

§ 3:99 — —Conflicting local rules

§ 3:100 — —Failure to file opposition

§ 3:101 Burden of proof—Generally

§ 3:102 — —Burden where defendant brings motion—Generally

§ 3:103 — —Negating plaintiff’s case

§ 3:104 — —Motion based on affirmative defense

- § 3:105 — —Defendant’s reliance on plaintiff’s discovery
- § 3:106 —Burden where plaintiff brings motion—Generally
- § 3:107 Evidence on motion—Generally
- § 3:108 — —Liberal construction of opposition evidence
- § 3:109 —Genuine issues of material fact
- § 3:110 —Attacking supporting evidence—Generally
- § 3:111 — —Incompetent affidavits
- § 3:112 — —Declarant lacks personal knowledge
- § 3:113 — —Issue of state of mind
- § 3:114 — —Speculation or conjecture
- § 3:115 — —Inadmissible discovery
- § 3:116 — —Contradictory admissions
- § 3:117 — —Conflicting inferences
- § 3:118 — —Conclusory statements
- § 3:119 — —Argument vs. evidence
- § 3:120 — —Judicial notice
- § 3:121 — —Reference to exhibits
- § 3:122 —Objections—No waiver if fruitless to object or
contrary to law
- § 3:123 — —No waiver where evidence incompetent
- § 3:124 Sanctions—Against moving party
- § 3:125 —Opposing sanctions
- § 3:126 Appellate review

VI. SAMPLE FORMS

- § 3:127 Sample supporting and opposition briefs
- § 3:128 —Motion for summary judgment by defendant—
Notice of motion for summary judgment
- § 3:129 — —Negligence action—Failure to produce evidence
of injury caused by breach of duty—Motion
- § 3:130 — —Action alleging violation of franchise act and
unfair trade practices act—Defendant not a
“franchise” within meaning of statute—Motion
- § 3:131 — —Memorandum of points and authorities in
support of motion for summary judgment—
Defamation
- § 3:132 — — —Nuisance and Negligence action against
municipal fire department
- § 3:133 — — —Negligence action against bus company
- § 3:134 — — —Negligence action against owner of premises
- § 3:135 — — —Negligence action against power company
barred by res adjudicata
- § 3:136 — — —Negligence action against water authority
- § 3:137 Motion for summary judgment by defendant—
Memorandum of points and authorities in support of

TABLE OF CONTENTS

- § 3:138 motion for partial summary judgment—Negligent and intentional infliction of emotional distress — —Provision—No basis for tolling statute of limitations as to CUPTA claim
- § 3:139 Sample supporting and opposition briefs—Motion for summary judgment by defendant—Request for judicial notice in support of motion for summary judgment
- § 3:140 — —Affidavit in support of motion for summary judgment
- § 3:141 —Motion for summary judgment—Plaintiff's opposition—Memorandum of points and authorities in opposition to motion for summary judgment
- § 3:142 Motion for summary judgment—Plaintiff's opposition—Memorandum of points and authorities in opposition to motion for partial summary judgment—Negligent and intentional infliction of emotional distress
- § 3:143 Sample supporting and opposition briefs—Motion for summary judgment by defendant—Plaintiff's opposition—Written objections to evidence submitted in support of motion for summary judgment
- § 3:144 — —Reply memorandum in support of motion— Dispute arising from supply of municipal water to restaurant
- § 3:145 Opposition to motion for extension of time to submit opposition to summary judgment motion
- § 3:146 Sample orders—Order for entry of summary judgment
- § 3:147 — —Short form submitted with motion
- § 3:148 —Order denying summary judgment
- § 3:149 Sample judgment

CHAPTER 4. DISMISSAL MOTIONS

I. OVERVIEW

- § 4:1 Chapter overview—Summary of motions

II. DISMISSAL BASED ON FORUM NON CONVENIENS

- § 4:2 Suggested motion text
- § 4:3 Overview of motion
- § 4:4 Key supporting citations—Primary authorities
- § 4:5 — —Description and purpose
- § 4:6 — —Discretionary motion

- § 4:7 — —Factors weighed by court
- § 4:8 — —Description and purpose—Suitability of forum
- § 4:9 —Procedural considerations—Timing of motion
- § 4:10 — — —Waiver
- § 4:11 — —General appearance
- § 4:12 — —Burden of proof
- § 4:13 —Forum selection clauses
- § 4:14 Key opposition citations—Suitability of alternative forum
- § 4:15 —Presumptively convenient forum
- § 4:16 —Forum selection clauses
- § 4:17 —Waiver

III. DISMISSAL BASED ON INSUFFICIENT PROCESS OR SERVICE OF PROCESS

- § 4:18 Suggested motion text
- § 4:19 Overview of motion
- § 4:20 Key supporting citations—Primary authorities
[C.G.S.A. § 52-45a, C.G.S.A. § 52-46a]
- § 4:21 — —Mandatory provision
- § 4:22 — —Description and purpose
- § 4:23 — —Alternative to quash motion
- § 4:24 —Procedural considerations—Notice required
- § 4:25 — —Determining expiration of time
- § 4:26 — —Timing of motion
- § 4:27 —Overcoming opposition excuses—[C.G.S.A. § 52-63]—
Impossibility
- § 4:28 — —Stipulation or agreement—Generally
- § 4:29 — —General appearance or participation in litigation
- § 4:30 — —Waiver and estoppel
- § 4:31 Key opposition citations—General authorities—Policy
to try cases on merits and forgive circumstantial
defects
- § 4:32 — —Where time not yet expired
- § 4:33 —Tolling
- § 4:34 — —Impossibility, impracticability or futility
- § 4:35 —Stipulation or authorization to extend time for
service
- § 4:36 —General appearance by defendant
- § 4:37 —Waiver and estoppel—Generally
- § 4:38 — —Estoppel

IV. DISMISSAL BASED ON DELAY IN PROSECUTION

- § 4:39 Suggested motion text

TABLE OF CONTENTS

- § 4:40 Overview of motion
- § 4:41 Key supporting citations—Primary authorities
[Practice Book 1998, § 14-3]
- § 4:42 — — Purpose of motion—Administration of justice
- § 4:43 — — — Policy of trying cases on merits “not absolute”
- § 4:44 — — Discretionary motion
- § 4:45 — Procedural considerations
- § 4:46 — — Conditional ruling [Practice Book 1998, § 14-3]
- § 4:47 — — Timing of motion
- § 4:48 — Overcoming plaintiff excuses for delay
- § 4:49 — — Diligence
- § 4:50 — — Failure of suit; Interstate Agreement on Detainers
- § 4:51 — — Continuance
- § 4:52 Key opposition citations—General authorities—Policy
to try cases on merits
- § 4:53 — — No inference of prejudice
- § 4:54 — — Court’s discretion
- § 4:55 — — — Abuse of discretion
- § 4:56 — Factors considered—Where plaintiff free from fault
- § 4:57 — Procedural considerations—Due process
- § 4:58 — — Where court brings motion
- § 4:59 — — Timing of motion
- § 4:60 — Excuse for delay
- § 4:61 — — Reasonable diligence
- § 4:62 — — Tolling—Impossibility, impracticability or futility
- § 4:63 — — Tolling
- § 4:64 — — Waiver & estoppel
- § 4:65 — — — Waiver where motion not timely filed

V. DISMISSAL BASED ON FAILURE TO MAKE REASONABLE INQUIRY REGARDING NEGLIGENCE BY HEALTH CARE PROVIDER

- § 4:66 Suggested motion text
- § 4:67 Overview of motion
- § 4:68 Key supporting citations—Primary authorities
- § 4:69 Key opposition citations—General authorities
- § 4:70 — Procedural issues

VI. DISMISSAL BASED ON LACK OF JURISDICTION

- § 4:71 Suggested motion text
- § 4:72 Overview of motion
- § 4:73 Key supporting citations—Primary authorities

- § 4:74 —Subject matter jurisdiction—Generally
- § 4:75 — —Sovereign immunity
- § 4:76 — —Exhaustion of remedies
- § 4:77 — —Mootness
- § 4:78 — —Standing
- § 4:79 —Personal jurisdiction
- § 4:80 Key opposition citations—Subject matter jurisdiction—
Standing
- § 4:81 — —Mootness
- § 4:82 — —Sovereign immunity
- § 4:83 —Personal jurisdiction
- § 4:84 —Procedural issues

**VII. DISMISSAL BASED ON FAILURE TO
COMMENCE ACTION WITHIN YEAR OF
DISMISSAL**

- § 4:85 Suggested motion text
- § 4:86 Overview of motion
- § 4:87 Key supporting citations—Primary authorities
- § 4:88 — —Time of commencement
- § 4:89 — —New cause of action
- § 4:90 — —Matter of form
- § 4:91 — —Purpose of statute
- § 4:92 —Grounds for motion
- § 4:93 —Procedural considerations—Conduct of plaintiff
- § 4:94 —Procedural considerations
- § 4:95 —Overcoming plaintiff excuses for delay—Tolling
- § 4:96 — — —Impossibility, impracticability or futility
- § 4:97 — — —Illness
- § 4:98 — — —Mistake by court
- § 4:99 — — —Tolling after arbitration
- § 4:100 — —Six-month extension
- § 4:101 — —Stipulation
- § 4:102 Key opposition citations—General authorities
- § 4:103 Dismissal based on failure to commence action within
year of dismissal [C.G.S.A. § 52-592]—Key
opposition citations—General authorities—Policy to
try case on merits
- § 4:104 Key opposition citations—General authorities—Time
of commencement
- § 4:105 —Procedural considerations—Defendant’s delay in
filing motion
- § 4:106 —Excuse for delay—Tolling
- § 4:107 — — —Impossibility, impracticability or futility

TABLE OF CONTENTS

- § 4:108 — — —Continuance
- § 4:109 — — —Illness
- § 4:110 — — —Stay on proceedings
- § 4:111 — — —Court congestion
- § 4:112 — — —Appeal pending
- § 4:113 — — —Defendant in default
- § 4:114 — — —Settlement
- § 4:115 — — —Six-month extension
- § 4:116 — — —Stipulation
- § 4:117 — — —Waiver & estoppel

VIII. DISMISSAL BASED ON FAILURE TO BRING TO TRIAL AFTER NEW TRIAL GRANTED

- § 4:118 Suggested motion text
- § 4:119 Overview of motion
- § 4:120 Key supporting citations—Primary authorities
[Practice Book 1998, § 14-3]

IX. DISMISSAL BASED ON FAILURE TO FURNISH SECURITY FOR COSTS

- § 4:121 Suggested motion text
- § 4:122 Overview of motion
- § 4:123 Key supporting citations—Primary authorities—
Dismissal for failure to file undertaking—[C.G.S.A.
§ 52-185; Practice Book 1998, §§ 8-3, 8-5]
- § 4:124 Key opposition citations—Discretion to deny motion

X. DISMISSAL BASED ON PLAINTIFF'S MISUSE OF DISCOVERY

- § 4:125 Suggested motion text
- § 4:126 Overview of motion
- § 4:127 Key supporting citations—Primary authorities
[Practice Book 1998, § 13-14]
- § 4:128 — — —Generally
- § 4:129 — — —Willful failure to comply
- § 4:130 — — —Plaintiff's burden to show failure not willful
- § 4:131 — — —Procedural considerations
- § 4:132 — — —Purpose of sanction
- § 4:133 Key opposition citations—Generally
- § 4:134 — — —Dismissal a drastic sanction
- § 4:135 — — —Unclean hands of party seeking dismissal
- § 4:136 — — —Substantial justification
- § 4:137 — — —Prerequisites to dismissal—Willfulness

- § 4:138 — —Order to compel compliance
- § 4:139 — —Notice of motion
- § 4:140 — —Where dismissal an abuse of discretion
- § 4:141 — —Failure to pay monetary sanctions
- § 4:142 — —Plaintiff unable to comply
- § 4:143 — — —Compare: where no noncompliance
- § 4:144 — —No court order compelling plaintiff to comply
- § 4:145 — — —No motion to compel by defendant

XI. DISMISSAL BASED ON FAILURE TO JOIN AN INDISPENSABLE PARTY

- § 4:146 Suggested motion text
- § 4:147 Overview of motion
- § 4:148 Key supporting citations—Primary authorities—
Joining indispensable parties
- § 4:149 — —Dismissal for failure to join indispensable party
- § 4:150 — —Grounds for motion—Statute requires joinder of
party
- § 4:151 — —Equity
- § 4:152 Key opposition citations—Generally—Due process
and notice
- § 4:153 — —Procedural issues

XII. DISMISSAL BASED ON INHERENT AUTHORITY OF COURT

- § 4:154 Suggested motion text
- § 4:155 Overview of motion
- § 4:156 Key supporting citations—Primary authorities
- § 4:157 Key opposition citations

XIII. DISMISSAL BASED ON ENGAGEMENT IN ACTIVITY PROTECTED BY C.G.S.A. § 52-196A

- § 4:158 Suggested motion text
- § 4:159 Overview of motion
- § 4:160 Key supporting citations—Primary authorities
- § 4:161 Key opposition citations
- § 4:162 Appeal

XIV. SAMPLE FORMS

- § 4:163 Sample supporting and opposition briefs
- § 4:164 — —Motion to dismiss plaintiff's action [failure to
timely return process]—Notice of motion to dismiss

TABLE OF CONTENTS

- § 4:165 — —Memorandum of points and authorities in support of motion to dismiss
- § 4:166 — —Declaration of defendant in support of motion to dismiss
- § 4:167 —Motion to dismiss plaintiff’s action [failure to timely return process]—Order to dismiss action [failure to timely return process]
- § 4:168 —Motion to dismiss action [forum non conveniens]—Memorandum of points and authorities in opposition to motion to dismiss action
- § 4:169 — —Declaration of plaintiff in opposition to motion to dismiss action
- § 4:170 —Motion to dismiss action [delay in prosecution]—Memorandum of points and authorities in opposition to motion to dismiss action
- § 4:171 — —Declaration of plaintiff in opposition to motion to dismiss action
- § 4:172 — —Order to dismiss action
- § 4:173 Motion to dismiss count of plaintiff’s action [sovereign immunity and lack of jurisdiction]—Memorandum of points and authorities in support of motion to dismiss
- § 4:174 Sample supporting and opposition briefs—Motion to dismiss plaintiff’s action [failure to make reasonable inquiry regarding negligence by health care provider]—Memorandum of points and authorities in support of motion to dismiss
- § 4:175 Motion to dismiss all counts of complaint [lack of jurisdiction, failure to state claim, improper punitive damages and claim and jury demand]

Table of Laws and Rules

Table of Cases

Index