

**VIRGINIA:
IN THE WORKERS' COMPENSATION COMMISSION**

CAPTION

PRE-HEARING MOTIONS ORDER

Whereas this matter has been referred to the hearing docket and scheduled for an evidentiary hearing, the following PRE-HEARING MOTIONS ORDER shall enter:

1. All pre-hearing motions should be filed at least fourteen (14) days prior to the scheduled evidentiary hearing. Consideration of any motion filed less than fourteen (14) days before the scheduled hearing may, at the discretion of the Deputy Commissioner, be considered at the hearing.
2. Upon the filing of all pre-hearing motions, any party opposing shall file a written response within seven (7) days of the filing of the motion, after which the motion will be considered and ruled upon by the Deputy Commissioner. Motions to compel responses to discovery may be ruled upon before the expiration of seven (7) days from the filing of the motion.
3. If any disputes arise regarding discovery, the party wishing to have the Commission address the dispute shall first contact the party failing to respond to discovery in an attempt to reach a mutually agreeable resolution of the matter. If this attempt to resolve proves unsuccessful, the party wishing to have the Commission address the dispute shall file a motion under Va. Workers' Comp. R. 1.8, and shall describe the efforts made to resolve the dispute. A copy of the discovery and response(s) in question shall be attached to the motion.
4. Motions for continuances shall reflect that any moving party has attempted to communicate with all parties. If the moving party advises whether there is an objection to the motion, it may be ruled upon prior to the expiration of seven (7) days from the filing of the motion.
5. Requests to remove matters from the hearing docket shall only be considered if made in writing by the party on whose claim or application the hearing is pending. The submission of agreement forms without a letter from the party on whose claim or application the hearing is pending does NOT result in matters being removed from the docket.
6. Any party requesting to add or amend a claim or application for a previously scheduled hearing shall file a motion to add/amend a claim/application at least twenty-eight (28) days prior to the scheduled hearing. Any additional/amended claim or application filed less than twenty-eight (28) days prior to the scheduled hearing will not be considered at the scheduled hearing unless the motion specifies that it is agreed to by all parties or other good cause is shown. Otherwise, the additional/amended claim or application shall be referred to the docket for a separate hearing.
7. A hard copy of each party's medical designation is required to be presented at the hearing.

Entered May 14, 2015

VIRGINIA WORKERS' COMPENSATION COMMISSION

Deputy Commissioner