

### **Vacating Hearings or Trials**

The Court appreciates being notified in advance of settlements that may affect the Court's preparation for a hearing or trial. When a settlement is reached and the parties have agreed that the hearing or trial need not go forward, the parties shall promptly call the Court's Chambers Staff to advise of such development. However, before the Court will vacate a hearing, one of the following must occur:

1. The parties must file a motion to vacate the hearing or trial no later than **12:00 p.m.** on the day prior to the scheduled hearing or trial. If the motion to vacate is predicated upon the parties' having reached an agreement or stipulation, then the motion should include not only a request to vacate, but also a request to approve the stipulation or agreement. Such motions must also be accompanied by an appropriate proposed order pursuant to L.B.R. 9013-1(a)(1)(C).
2. If the parties do not file a motion to vacate in advance of the hearing or trial, the hearing or trial may be vacated upon the appearance, in person or via telephone, by both of the parties, at which time one party shall read the pertinent portions of the agreement into the record.