

FOR IMMEDIATE RELEASE

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**New Sample Scheduling Order Reflecting
New Procedure For Handling Cases Filed Under 10 *Del. C.* § 348**

The Court of Chancery has published a new sample scheduling order for cases filed under 10 *Del. C.* § 348, which was enacted “to provide an expeditious forum for the resolution of disputes involving the enforcement of deed covenants and restrictions.” Consistent with the legislative purpose of 10 *Del. C.* § 348, this order is intended to promote the expeditious resolution of Section 348 claims. The order limits the filing of pre-trial motions and imposes deadlines consistent with the statutory timeframes. As the sample scheduling order further provides, if the time frames set forth in Section 348 are not met, the Court may determine that the matter falls outside of the scope of Section 348, which may affect a party’s ability to obtain attorneys’ fees under Section 348(e).

The sample scheduling order is available on the Court of Chancery’s website, attached as Exhibit 12 to the Guidelines for Persons Litigating in the Court of Chancery.