EXHIBIT 12

SAMPLE

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

HOMEOWNERS' ASSOCIATION, INC.,	)	
Plaintiff,	)	
v.	)	C.A. No. 20__-____-
HOMEOWNER,	)	
Defendant.	)	

SCHEDULING ORDER
FOR CASES FILED UNDER 10 *DEL. C.* § 348

WHEREAS:

A. Plaintiff filed the Verified Complaint on _____ __, 202_ and appended (or, at the Court's request, later filed) a certification that the case is eligible to proceed under 10 *Del. C.* § 348 ("Section 348") and pursuant to Court of Chancery Rule 174(c)(2).

B. Section 348 provides that "the Court of Chancery shall … mediate disputes involving the enforcement of deed covenants or restrictions." 10 *Del. C.* § 348(a).

C. The General Assembly intended for Section 348 to "provide an expeditious forum for the resolution of disputes involving the enforcement of deed covenants and restrictions." 75 Del. Laws ch. 379, § 2.

D. Section 348(c) establishes mandatory deadlines in cases certified as eligible to proceed under Section 348.

THEREFORE, this __ day of _____, 202_, IT IS SO ORDERED that:

1. The following case schedule be entered governing this matter:

(a)	Mandatory Mediation	Within 60 days of filing the Complaint
(b)	Status Conference. The dial in telephone number is *[provided by the Court]*	75 days after filing the Complaint.
(c)	Filing of any Motions to Amend the Pleadings or Supplement the Pleadings	120 days after the filing of the Complaint.
(d)	Discovery Closes	150 days after filing the Complaint
(e)	Submission of Pre-trial Order, Trial Exhibits, and any Pre-trial Briefs (not to exceed 20 pages).	165 days after filing the Complaint
(f)	Pre-Trial Conference	To be scheduled by the Court (approximately 175 days after filing the Complaint).
(g)	Trial	To be scheduled by the Court (approximately 180 days after filing the Complaint)

2. Only the court may grant extensions of the deadlines in this Scheduling Order. The parties may not extend deadlines by agreement. Because Section 348(c) establishes important deadlines for mediation and trial, the parties may seek moderate extensions to the deadlines from the Court for good cause shown. Delays in effectuating service undermine the schedule, and therefore any delay in perfecting service may have the effect of removing the action from the framework of Section 348. Any major delays or extensions in this action may have the effect of removing the action from the framework of Section 348. If a case is removed from the framework of Section 348, the presiding judge may decline to shift fees in her discretion.

3. Because this is an expedited matter under Section 348, the parties may not file dispositive motions absent leave of the Court.

4. If a party files a motion to amend or supplement the pleadings, it is the strong preference of the Court to allow such amendment or supplement without considering futility, and to allow any merits-based arguments to be litigated at trial.

5. The parties may seek leave to amend or set aside the deadlines in this Scheduling Order to allow for extended periods of discovery or for dispositive motions. Such an application may result in the matter no longer qualifying for treatment under Section 348.

6. Discovery may commence immediately and will not be stayed during the period for mandatory mediation. The parties should meet and confer promptly regarding arrangements for discovery and work together in good faith on the scheduling of depositions and other matters. The Court may address any discovery disputes at the status conference scheduled after mediation. Because this is an expedited matter, the court will address any discovery motions promptly.

7. The parties should make reasonable efforts to create one set of joint trial exhibits and a joint exhibit list that will contain any objections to the proposed trial exhibits. The creation of a joint set and joint exhibit list will not waive or preclude objections that may arise at trial. The Court will address objections on the joint exhibit list during the pre-trial conference. After those objections are resolved, the exhibits on the joint exhibit list will be deemed admitted, without prejudice to objections to their use during trial.

8. The parties will deliver four hard copies of exhibits and two flash drives containing the exhibits to the Register in Chancery located in the Chambers of the assigned judge, no later than 4:30 p.m. on the dates that the exhibits are due.

9. Under Court of Chancery Rule 143, this order is a Final Master's Report, and exceptions are expedited under Court of Chancery Rule 144(g). Because by statute this is an expedited proceeding, exceptions to all interim rulings are stayed pending a decision after trial.

/s/

Master in Chancery