

LITIGATION TIMELINE

As a business your attorneys fees are typically NOT recoverable



12- 18 months after Complaint served

TRIAL

4-8 months after Complaint served

DISCOVERY

3 days to months after Complaint filed

COMPLAINT SERVED

Settlement Negotiation

DISPOSITIVE MOTIONS

1-10 months after Complaint served

RESPONSIVE PLEADING FILED

28 Days after Complaint served.



COMPLAINT FILED



Complaint: Complaints are the documents that start the lawsuit and make allegations of wrongdoing. The Clerk usually processes complaints between 1 day and 1 week. **Cost: \$100 - \$400 filing fee; \$750-\$2,000 in attorneys fees.**

Service: Service is typically done via Certified Mail, requiring the Defendants to sign. Other methods of service include regular mail, process/sheriff service, and newspaper publication. **Cost: \$0-\$150 filing fee.**

Responsive Pleadings: A responsive document can be an Answer; a Motion to Dismiss; or Motion for More definite statement. The Responsive pleading must be filed within 28 days of service of the Complaint. If a Motion is filed, the other side has 14 days to respond. The filing party then has 7 days to reply to the response. The quickest a motion is ready for a Judge's decision is 21 days after it is filed, but it often takes months to get a ruling. **Cost: \$500 - \$2,000 in attorneys fees.**

Discovery: Discovery is the largest part of litigation. It includes Requests for Admission, Interrogatories, Request for Production of Documents, Subpoenas, and Depositions. Discovery takes an average of 4-8 months. **Cost: \$1,000 - \$15,000+.**

Dispositive Motions: These motions ask the court to resolve an issue or the entire case on its merits without trial. Once a dispositive motion is filed it takes 45 days to be fully ready for the Court to Rule. Courts typically take 1-5 months after the Motions are ready to make their ruling. **Cost: \$2,500 - \$5,000+.**

Trial Prep: Trial prep includes pre-trial motions to exclude certain evidence, preparing witnesses to testify, issuing subpoenas for attendance at trial, and preparing exhibit binders. Pre-trial prep requires a significant amount of time (prep usually takes more time than the actual trial). Trial prep can take 1 day to several weeks, depending on the complexity of the case. **Cost: \$2,000, \$15,000+.**

Trial: A trial is usually the first time our Clients meet the Judge on the case. Trials are typically scheduled 12-18 months after the date the Complaint was filed. Trials are often continued once or twice because of conflicts on the Court's end (criminal trials are entitled to speedy trials, civil cases are not and will get continued to allow the court to handle criminal matters). **Cost: \$2,000 - \$15,000+.**

Settlement Negotiations: Settlement is often the most economical and fastest method of resolution. The parties can (and should) discuss settlement throughout the entire process. **Cost: \$250 - \$3,500.**

*All of these are estimates based on prior experience. Each case has a different fact pattern, different clients, and different attorneys which will vary the cost.