

**Rule 85. Suspension Disposition Calendar**

(a) Suspension Disposition Calendar. After a test case is finally determined, dismissed or discontinued, any action that was suspended under that test case will be placed on a Suspension Disposition Calendar.

(b) Time – Notice. The court will notify the parties when a test case has finally been determined, dismissed or discontinued. After consultation with the parties, the court will then enter an order providing for a period of time for the removal of an action from the Suspension Disposition Calendar.

(c) Removal. An action may be removed from the Suspension Disposition Calendar on: (1) filing of a complaint; (2) filing of a demand for an answer when a complaint previously was filed; (3) granting of a motion for consolidation pursuant to Rule 42; (4) granting of a motion for suspension under another test case pursuant to Rule 83; (5) filing of a stipulation for judgment on an agreed statement of facts pursuant to Rule 58.1; (6) filing of a settlement agreement; (7) voluntary dismissal under Rule 41(a); (8) granting of a dispositive motion; (9) filing of a request for trial; or (10) granting of a motion for removal.

(d) Dismissal for Lack of Prosecution. An action not removed from the Suspension Disposition Calendar within the established period must be dismissed for lack of prosecution, unless a motion is pending. If a pending motion is denied and less than 14 days remain in which the action may remain on the Suspension Disposition Calendar or the Calendar has expired, that action will remain on the Suspension Disposition Calendar for 14 days from the date of entry of the order denying the motion.

(e) Extension of Time. The court may grant an extension of time for an action to remain on the Suspension Disposition Calendar for good cause.

(As amended Oct. 3, 1984, eff. Jan. 1, 1985; Sept. 25, 1992, eff. Jan. 1, 1993; Nov. 25, 2009, eff. Jan. 1, 2010; Dec. 7, 2010, eff. Jan. 1, 2011; Sept. 19, 2017, eff. Oct. 23, 2017.)