

## **Filing and opposing a motion for summary judgment on eFileMaine**

How you file the several documents involved in a motion for summary judgment on eFileMaine depends on the rule, the filing codes on eFileMaine, and the way the documents are used in connection with the motion. Please follow the guidance below to produce the best filing results and minimize rejected submissions on eFileMaine. The filing codes for the documents are shown in parentheses next to each document.

### **Lead Documents**

These documents should always be filed as Lead Documents (within the same envelope) when filing or opposing a motion for summary judgment on eFileMaine:

For the movant:

- Motion for summary judgment [*with or without the Proposed Order incorporated in the motion document*]<sup>1</sup> (*Motion - Motion for Summary Judgment - Filed*)
- Memorandum of law supporting your motion (*Other Filing - Memorandum of Law - Filed*)
- Statement of material facts (*Other Filing - Statement of Material Facts - Filed*)
- *Complete* deposition transcripts (*Other Filing - Transcript - Filed*)
- Affidavits supporting the statement of material fact (*Other Filing - Affidavit - Filed*)

For the opponent:

- Memorandum of law in opposition to motion (*Responsive Pleading - Opposing Memorandum - Filed*)
- Opposing and/or reply statement of material facts (and additional facts set forth pursuant to Rule 56(h)(2)) (*Other Filing - Statement of Material Facts - Filed*<sup>2</sup>)
- *Complete* deposition transcripts (*Other Filing - Transcript - Filed*)
- Affidavits supporting the reply/opposing statement of material fact (*Other Filing - Affidavit - Filed*)

### **Attachments**

These documents should always be filed as Attachments associated with the lead document they accompany when filing a motion for summary judgment (or opposition/reply to a MSJ) on eFileMaine:

- Exhibits that are referred to in a lead document<sup>3</sup>
- *Excerpts* of transcripts referred to in a lead document
- Proposed orders<sup>4</sup> [when filed as a separate document and not incorporated in the motion]

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<sup>1</sup> If the proposed order is incorporated in the same document with the motion, please include that information in the document name you use to save the file on your system.

<sup>2</sup> More specific filing codes will be available in the future for responsive statements, including: "Responsive Pleading - Reply Statement of Material Facts - Filed" and "Responsive Pleading - Opposing Statement of Material Facts - Filed". Continue to use filing code "Other Filing - Statement of Material Facts - Filed" until those are available.

<sup>3</sup> Exhibits must be clearly labelled. This includes both the PDF document itself (using exhibit stickers, cover pages, adding text onto the PDF file, etc.) as well as the file name and description.

<sup>4</sup> The proposed order should be filed as an Attachment only when it is filed in the same envelope as the motion but is not incorporated in the motion document.

## Uploading the Documents

In the Upload Documents pane at the bottom of the Filings tab, you can upload ONE Lead Document file and ANY NUMBER of Attachment files.

- In the Upload Documents pane at the bottom of the screen, click ADD DOCUMENTS.
- Select the document from your folder and click SAVE. The Upload Documents pane will reopen.
- Click in the Security field on the right and select Non-Public or Public as the document security.

## Adding Attachments

The attachments can be uploaded all at once by uploading and selecting all the attachments in the ADD ATTACHMENTS window. In the alternative, attachments can be uploaded one at a time as follows:

- Clicking on the Add/Edit pencil icon next to an existing attachment; a window will open.
- Uploading the additional attachment to the window.
- Click SAVE.

## Adding Additional Lead Documents

One envelope can have multiple lead documents.<sup>5</sup>

- Click + ADD FILING in the lower right of the filings tab. A new pane will open.
- Choose the Filing Type and Filing Code for the Lead Document being added.
- Upload the document and any attachments in the same manner as described above.

## Filing Description

- Use the Filing Description field (located immediately below the Filing Type and Filing Code fields) to describe the Lead Document **and** the Attachments. You can use the same Filing Description as the document name if it is complete and accurate.
  - **Please note: there is a limit of 100 characters in the Filing Description field.**
- When saving any PDF on your system that will later be uploaded as an Attachment on eFileMaine, include the name of the associated Lead Document in the file name (example: Plt's Statement of Material Facts - Exhibit A). The Attachment will then display the name of the associated Lead Document on the Summary tab in the filing process on eFileMaine.

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<sup>5</sup> The envelope size limit is 50 mb. If a filing is too large you will need to split the document into multiple parts. It is recommended that you contact the court you are filing into to see how they would like it split.