

1 Rule 40. Scheduling and postponing a trial.

2 (a) Scheduling a trial. Unless the court sets the date of trial by order, any party may,
3 at the close of all discovery, certify to the court that the case is ready for trial. The court
4 shall schedule the trial as soon as mutually convenient to the court and parties. The
5 court shall notify parties of the trial date and of any pretrial conference.

6 (b) Postponement. The court may postpone a trial for good cause upon such terms
7 as are just, including the payment of costs.

8 (c) Preserving testimony of witnesses. If requested, the court may conduct a hearing
9 to examine and cross-examine any witness present, and the testimony may be read at
10 the trial with the same effect as and subject to the same objections to a deposition
11 under Rule 32.

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