

Rule 9: Motions and Memoranda.

9.01 **Service of Motions and Memoranda**. Any motion made or memorandum submitted by a party shall be filed with the Commission and served upon all other parties to the investigation or the complaint, as the case may be.

9.02 **Motions to Dismiss**. In order to preserve his/her right to make a motion to dismiss the complaint at the hearing on the complaint, a party must file the motion to dismiss with the Commission and serve a copy of the motion upon all other parties not later than 10 days before the date of the hearing. If a motion to dismiss is filed later than 10 days prior to a hearing, the hearing examiner or Commission member or members hearing the case, may in their discretion waive the requirement, decide the motion after evidence has been presented or refuse to consider the motion.

9.03 **Motions Made Before the Finding of Probable Cause**. Any motions made by a party before probable cause has been determined will be decided by the Preliminary Investigating Commissioner.