CASp Inspection Litigation Advantages

Building Owner Or Tenant Sued

Defendant has 30 days to file request for stay and EEC.

May file with or before responsive pleading.

YES

Is Building **CASp-Inspected?**

EEC and stay not available; regular court rules apply.

END

Court orders stay and schedules EEC to take place within 30 days

15 days before date of EEC Defendant must provide CASp inspection report and **Plaintiff** must provide statement of case.

EEC takes place and may include following issues:

- 1) entitlement to stay;
- 2) whether and in what timeframe alleged violation can be fixed;
- 3) possibility of settlement

Stay continues 90 days from request.

Plaintiff may ask court to terminate for good cause shown.

Court may extend stay for up to 90 additional days for good cause shown.

Gibbens & Associates

THE ACCESS GUY

MICHAEL P. GIBBENS

When stay lifts:

Litigation resumes.

Defendant ay file response or amend alreadyfiled responsive pleading.

END