

Rule 40. Petition for Rehearing by the Division.

(a) Time to File; Contents; Answer; Action by the Division if Granted.

(1) Time. Unless the time is shortened or extended by order, a petition for rehearing by the division may be filed within 14 days after entry of judgment.

(2) Contents. The petition must state with particularity each point of law or fact that the petitioner believes the division has overlooked or misapprehended and must argue in support of the petition. Oral argument in support of the petition is not permitted.

(3) Response. Unless the division requests, no response to a petition for rehearing by the division, and no reply to a response, may be filed.

(4) Consolidation. In cases consolidated on appeal, a petition filed by one party will not be deemed filed by any other party.

(5) Action by the Division. If a petition for rehearing by the division is granted, the division may do any of the following:

(A) make a final disposition of the case without reargument;

(B) restore the case to the calendar for reargument or resubmission; or

(C) issue any other appropriate order.

(b) Form; Length. The petition and the response must comply in form with Rule 32. Petitions and responses must be served and filed as Rule 31 prescribes for briefs. Unless the division permits otherwise, a petition for rehearing by the division, or a response if requested by the court, must not exceed 15 pages.