

**HONORABLE LEO S. PAPAS  
U.S. MAGISTRATE JUDGE  
DISCOVERY, CASE MANAGEMENT,  
DISPUTE RESOLUTION AND EX PARTE PROCEDURES**

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**PROCEDURES FOR RESOLUTION OF CASE MANAGEMENT AND DISCOVERY DISPUTES:**

The Court prefers that case management and discovery disputes be resolved informally, if possible and if appropriate. Previous experience indicates that most case management and discovery disputes can be resolved through one of a variety of informal techniques, i.e., in-person conferences, telephone conference calls or informal letter-type briefing, any of which may be arranged by calling Magistrate Judge Papas' Research Attorney at (619)557-6384.

When letter briefs are required, fax service on opposing counsel and on the Court is normally acceptable. After letter briefs are received, they will be reviewed and the Court will rule with or without a hearing. If further briefing or a hearing is necessary, parties and/or counsel will be contacted to set dates and times. Telephonic appearances by counsel are allowed.

If the dispute involves attorney-client, work product or privilege claims or other disputes determined by the Court not to be susceptible to one of the more informal methods of resolution, the parties will be notified and the matter will be set for a formal hearing with appropriate briefing in accordance with Local Rules of the United States District Court.

**EX PARTE PROCEDURES:**

The Court does not have regular ex parte hearing days or hours. Appropriate ex parte applications may be made at any time after first contacting the research attorney, but must ultimately be submitted in writing, including a description of the dispute, the relief sought, and accompanied by a separate affidavit indicating reasonable and appropriate notice to the opposition. After service of the ex parte application, opposing counsel will ordinarily be given until 5:00 PM on the next business day to respond. If more (or less) time is needed, opposing counsel must call the research attorney at (619)557-6384 to modify the schedule. After receipt, moving and opposing ex parte papers will be reviewed and a decision made with or without a hearing. If the Court requires a hearing, the parties will be contacted to set a date and time.

**If you are unsure about the foregoing dispute resolution procedure or whether an ex parte application is appropriate, please call the research attorney at (619)557-6384.**