

**HONORABLE M. JAMES LORENZ
UNITED STATES DISTRICT JUDGE
STANDING ORDER FOR CIVIL CASES**

Except as ordered by the court herein or on a case-by-case basis, all parties shall comply with this District's Local Rules and Electronic Case Filing Administrative Policies and Procedures Manual ("ECF Manual"). Failure to comply with the applicable orders and rules, including the ECF Manual, may result in the noncomplying documents being stricken from the record pursuant to ECF Manual Section 2(a) and sanctions being imposed pursuant to Civil Local Rule 83.1.

Telephone Calls to Chambers

Absent unavoidable circumstances, counsel of record shall personally make any telephone calls to chambers.

Before calling chambers with a procedural question, the caller must familiarize him- or herself with the pertinent rules, including Federal Rules of Civil Procedure, Local Rules of this District, the ECF Manual and the instant Standing Order for Civil Cases.

Court staff is not authorized to interpret orders or give legal advice, including advice on procedural matters.

Courtesy Copies

Courtesy copies of filings exceeding 20 pages shall be delivered directly to chambers.

Unless expressly required by the court, courtesy copies must be identical to the electronically-filed documents.

The pages of each pleading must be firmly bound at the top. In no event shall a courtesy copy of a pleading be delivered unbound.

If a pleading has more than 3 (three) exhibits, the exhibits must be tabbed.

Signature Certification

To meet the signature certification requirement of Section 2(f)(4) of the ECF Manual, the following language must be included when required for joint motions or other documents with multiple signatures: "Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual, I hereby certify that the content of this document is acceptable to [*insert the name of opposing or co-counsel whose electronic signature will be included*], counsel for [*insert name of the party*], and that I have obtained [*Mr./Ms. [name of counsel]*]'s authorization to affix [*his/her*] electronic signature to this document." This statement must be placed under a heading "Signature Certification," located at the end of the document after the signatures, and must be signed by the filing attorney.

Proofs of Service

A proof of service for an electronic filing must be filed as an attachment to the filing in the manner specified in ECF Manual Section 2(g)(2).

Settlement and Dismissal

If a case settles, the parties must immediately notify this court and the assigned Magistrate Judge.

Any joint motion for dismissal of action which includes a provision that the court will retain jurisdiction will be rejected unless: (1) it is accompanied by a fully executed Consent to Exercise Jurisdiction by a United States Magistrate Judge covering all disputes arising out of the settlement agreement, including interpretation and enforcement of the settlement agreement; and (2) includes in the joint motion and proposed order the following provision: “The Magistrate Judge shall retain jurisdiction over all disputes between and among the parties arising out of the settlement agreement, including but not limited to the interpretation and enforcement of the terms of the settlement agreement.

Ex Parte Applications

Before filing an *ex parte* application, the parties must meet and confer in an attempt to resolve the issue. If the parties are unable to resolve it, the applicant shall attach a declaration documenting the meet and confer efforts and explain the reason for failure to reach a resolution, or explain why a meeting and conference is not appropriate in the context of the request.

The court will rule upon simple administrative requests without requiring a response from the opposing party. If a party intends to oppose, the party must immediately contact chambers and request an opportunity to file an opposition.

Proposed Orders

All extraneous information (i.e., attorney and firm name, headers, footers and watermarks) must be removed from the proposed order.

Motion Briefing

When the same party is noticing multiple motions for the same hearing date, the motions must be briefed together in one memorandum of points and authorities.

If multiple parties are moving for substantially the same relief, they shall make every effort to obtain the same hearing date for their motions.

If multiple parties are moving for substantially the same relief, or opposing a motion seeking substantially the same relief sought against them, noticed for the same hearing date, counsel shall make every effort to coordinate and consolidate the briefing or use the notice of joinder procedure so as to avoid duplication in briefing. If the briefing is not coordinated or consolidated, counsel for each party must file an affidavit

concurrently with the briefing describing the efforts and explaining why they were not successful.

Motions for Class Certification

Pursuant to Federal Rule of Civil Procedure 23(c), class certification motions should be determined "at an early practicable time after" a putative class action is filed. Accordingly, any motions for class certification shall be filed no later than 60 calendar days before the motion cut-off date set by the Magistrate Judge in the case management order.

Summary Judgment Motions and Cross-Motions

If upon being served with a summary judgment motion an opposing party determines that it intends to file a cross-motion, the party must contact chambers well in advance of the due date for the opposition to the first-filed summary judgment motion.

Any separate statements of disputed or undisputed facts will be rejected.

Ten days before the hearing date, the parties shall meet and confer in person to arrive at a joint statement of undisputed facts, which shall be filed no later than the reply brief.

Daubert Motions

Any motions to exclude expert testimony shall be filed at the stage of the case when the challenged expert opinion is being proffered. For example, if a party wishes to exclude expert opinions offered in support of or in opposition to a pretrial motion, then *Daubert* arguments must be raised either in opposition to or reply in support of the motion. If the challenge is to expert testimony at trial, then the arguments must be raised in a motion *in limine* or as early as practicable at trial.

Motions to Reconsider

Motions to reconsider may be filed without first obtaining a hearing date from chambers. The memorandum of points and authorities in support of the motion shall be no more than ten (10) pages in length. If the court finds the motion merits further briefing, a scheduling order will issue.

Memoranda of Contentions of Fact and Law

This court does not require memoranda of contentions of fact and law.

Trial Briefs

This court does not require trial briefs for the cases or issues tried to the jury.

Motions in Limine

The hearing date and briefing schedule for motions *in limine* will be set in the order issued after the final pretrial conference.

Before filing any motions *in limine*, the parties must meet and confer in person in an attempt to resolve the issues. If the parties are unable to resolve them, the moving party shall attach a declaration documenting the meet and confer efforts and explain the reason for failure to reach a resolution.

Parties must not present summary judgment motions or motions to dismiss under the label of motions *in limine*. Any such motions must be filed within the time provided in the case management order.

Parties are encouraged to be selective with their motions *in limine* and not to file mundane, boilerplate or unnecessary motions.

Exhibits

The parties shall avoid duplication of exhibits as much as possible. If the same exhibit is referred to in more than one motion noticed for the same day, the exhibit should be filed only once. Similarly, if both sides refer to the same exhibit relative to a motion noticed for the same day, only one side should file the exhibit. The parties shall use citations to assist the court in locating such exhibits.

Interpreters and Translations

It is the sole responsibility of the party presenting foreign language testimony to arrange for an interpreter. Well in advance of calling the witness, the party shall file a stipulation showing that the parties agree to the interpreter or a declaration showing that the interpreter is court-approved.

Any foreign language exhibits must be accompanied by a translation together with a stipulation that the parties agree to the translation or a declaration showing that the document was translated by a court-approved translator.

Audio and Video Exhibits

Any party relying on audio or video exhibits in motion briefing, at a hearing or at trial, must simultaneously file or introduce a transcript of the exhibit. The transcript shall either be certified by a court reporter or stipulated to by the opposing party.

Electronic, Audio and Video Equipment

Parties shall notify the courtroom deputy at least five (5) court days before a hearing or trial of any electronic, audio or video equipment they intend to use in the courtroom and jointly prepare and lodge a proposed order seeking leave to use the equipment in the courtroom. The proposed order shall itemize all equipment and list the dates when it will be used in court. The order must be presented to the security personnel when the equipment is brought into the courthouse.

Trial Exhibits

Trial exhibits must be pre-marked. Any questions regarding marking trial exhibits shall be directed to the Courtroom Deputy.