

**INDIVIDUAL RULES OF
SENIOR JUDGE I. LEO GLASSER
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201
Courtroom# 8B South, Chambers Room #921 South
Telephone: 718-613-2440
Fax: 718-613-2446
Case Manager: Ogoro Francis (718-613-2445)
Hours: 9 a.m. - 5 p.m.**

Unless otherwise ordered by the judge in a specific case, matters before the judge shall be conducted in accordance with the following practices:

I. Communications With Chambers

A. *Letters.* Except as provided below, communications with chambers shall be by letter, with copies simultaneously delivered to all counsel. Copies of correspondence between counsel shall not be sent to the Court.

B. *Telephone Calls.* Except as provided in paragraph D below, telephone calls shall be made to chambers only when necessary to obtain information not otherwise available. In such situations only, call chambers at the number listed above.

C. *Faxes.* Faxes to chambers are permitted only if copies are also simultaneously faxed or delivered to all counsel. Do not follow with hard copy. The fax number is listed above.

D. *Docketing, Scheduling, and Calendar Matters.* For docketing, scheduling and calendar matters, call the Case Manager listed above during the hours specified.

E. *Request for Adjournments or Extensions of Time.* All requests for adjournments or extensions of time must be made by letter to the Court stating (1) the original date, (2) the number of previous requests for adjournment or extension, (3) whether these previous requests were granted or denied, and (4) whether the adversary consents, and, if not, the reasons given by the adversary for refusing to consent. If the request is for an adjournment of a court appearance, absent an emergency, it shall be made at least 48 hours prior to the scheduled appearance.

II. Electronic Case Filing (ECF)

A. All documents in civil actions **MUST** be filed electronically, except letters requesting an extension of time and all cover letters. Questions regarding ECF filing or training should be directed to Terry Vaughn or Marilyn Glenn at (718) 260-2330/2610.

B. Parties filing voluminous or non-text exhibits shall file only hard copies where electronic filing is impracticable.

C. Requests to be exempt from ECF requirements shall be made to the Court.

III. Courtesy Copies

Hard copies of all papers filed electronically (excluding those referred to in paragraph II.A above and civil cover sheets, summonses, complaints, and affidavits of service), must be provided to chambers (see paragraph IV.E.2 regarding filing courtesy copies of motion papers). All such papers must be clearly marked “Courtesy Copy,” and indicate that the original was filed by ECF. See also IV.E.2 (Filing of motion papers).

IV. Civil Motions

A. *Pre-Motion Conferences in Civil Cases.* All discovery and non-dispositive motions shall be made to the assigned Magistrate Judge. Those motions shall follow Local Civil Rules 37.3 and 6.4. For motions other than discovery motions, pre-motion conferences are not required.

B. *Motions Generally.* (A “motion” is an application to the Court for an order. See Fed. R. Civ. P. 7(b)(1)). Motions shall consist of (“Motion papers”):

1. Notice of motion together with
 - a. affidavits and other supporting submissions, when necessary;
 - b. memorandum of law;
2. the responsive papers together with
 - a. affidavits and other supporting submissions, when necessary;
 - b. memorandum of law; and
3. the reply papers, if any, together with
 - a. affidavits and other supporting submissions, when necessary;
 - b. memorandum of law.

Sur-reply papers shall not be filed or considered. Letters seeking relief from the Court shall not be considered except as provided in I.E.

The parties shall arrange their own briefing schedule and need not inform the Court. The parties may revise the schedule on consent. If consent cannot be obtained, application may be made to the assigned Magistrate Judge or the Court.

C. *Default Judgments.* A party moving for default judgment must forward to the Clerk of Court its request for a certificate/notation of default. No default judgment will be considered until the Clerk of Court has entered a notation of default.

D. *Memoranda of Law.* The Court expects counsel to exercise their professional judgment as to the length of briefs.

E. *Filing of Motion Papers.*

1. Motion papers shall be electronically filed by each party when that party effects service on its adversary.

2. When a motion has been fully briefed, the party making the motion shall submit to chambers courtesy copies, clearly marked as such, of the following:

- a. all papers in support of the movant's motion;
- b. all papers in opposition to the movant's motion;
- c. all cross-motions; and
- d. all third-party motions

A cover letter listing each document filed shall accompany the submission to chambers.

F. *Oral Argument on Motions.* Unless otherwise informed, oral argument will be held on all motions after they have been fully briefed and courtesy copies of the same submitted directly to chambers. A return date for oral argument shall be fixed by the Court. Parties shall not indicate a return date on notices of motion.

G. Paragraph E above applies to all motions described in Federal Rule of Appellate Procedure 4(a)(4)(A).

V. Pretrial Procedures

A. Joint Pretrial Orders in Civil Cases. Unless otherwise ordered by the Court, the parties shall submit to the Court for its approval a joint pretrial order, which shall include the following:

1. The full caption of the action;
2. The names, addresses (including firm names), and telephone and fax numbers of trial counsel;
3. A brief statement by plaintiff as to the basis of subject matter jurisdiction;
4. A brief summary by each party of the claims and defenses which remain to be tried;
5. A statement as to whether the case is to be tried with or without a jury, and the number of trial days needed;
6. Any stipulations or agreed statements of fact or law;
7. A list by each party as to the fact and expert witnesses whose testimony is to be offered in its case in chief, indicating whether such witnesses will testify in person or by deposition. Only listed witnesses will be permitted to testify except when prompt notice has been given and good cause shown;
8. A designation by each party of deposition testimony to be offered in its case in chief, with any cross-designations and objections by any other party; and
9. A list by each party of exhibits to be offered in its case in chief, with one star indicating exhibits to which no party objects on grounds of authenticity, and two stars indicating exhibits to which no party objects on any ground.

B. *Filings Prior to Trial in Civil Cases.* The following filings prior to trial in civil cases shall be made, unless otherwise ordered by the Court, no later than three (3) weeks prior to the commencement of trial if such date has been fixed:

1. A joint pretrial order;
2. In jury cases, requests to charge and proposed *voir dire* questions. When feasible, proposed jury charges should also be submitted on a 3.5" diskette in Word Perfect format;
3. In non-jury cases, a statement of each claim and defense sought to be proved, together with a summary of the facts relied upon to establish each claim or defense;
4. In all cases, motions addressing any evidentiary or other issues which should be resolved *in limine*; and
5. In all cases, a pretrial memorandum.

VI. Promptness

The Court expects the parties to be prepared to start promptly at each scheduled appearance. If something unforeseen has delayed a party or counsel, call the Case Manager or contact chambers directly as soon as possible.