

omitted or redacted.

**(c) Social Security Appeals and Immigration Cases**

Unless the court orders otherwise, in an action for benefits under the Social Security Act, and in an immigration action or proceeding relating to an order of removal, to relief from removal, or to immigration benefits or detention, the administrative record must be filed under seal, and the court will maintain it under seal. These actions are entitled to special treatment due to the prevalence of sensitive information and the volume of filings. A party filing any excerpt of the record separately must redact all personal information in accordance with CR 5.2(a) or move to file the document under seal in accordance with CR 5(g).

**(d) through (h) Reserved**

**CR 6**

**TIME**

**(a) to (d) Reserved**

(e) Motions to shorten time have been abolished.

**CR 7**

**PLEADINGS ALLOWED; FORM AND SCHEDULING OF MOTIONS**

**(a) Reserved**

**(b) Motions and Other Papers**

(1) *Obligations of Movant.* The moving party shall serve the motion and a proposed order on each party that has appeared in the action, and shall file the motion and proposed order with the clerk. The argument in support of the motion shall not be made in a separate document but shall be submitted as part of the motion itself. If the motion requires consideration of facts not appearing of record, the movant shall also serve and file copies of all affidavits, declarations, photographic or other evidence presented in support of the motion.

All motions shall include in the caption (immediately below the title of the motion) the date the motion is to be noted for consideration upon the court's motion calendar. See CR 7(d) for scheduling motions and briefing deadlines. The

form for this notation shall be as follows:

NOTE ON MOTION CALENDAR: [insert date noted for consideration]

(2) *Obligation of Opponent.* Each party opposing the motion shall, within the time prescribed in CR 7(d), file with the clerk, and serve on each party that has appeared in the action, a brief in opposition to the motion, together with any supporting material of the type described in subsection (1). If a party fails to file papers in opposition to a motion, such failure may be considered by the court as an admission that the motion has merit.

(3) *Reply Brief.* The moving party may, within the time prescribed in CR 7(d), file with the clerk, and serve on each party that has appeared in the action, a reply brief in support of the motion, together with any supporting material of the type described in subsection (1).

(4) *Oral Argument.* Unless otherwise ordered by the court, all motions will be decided by the court without oral argument. Counsel shall not appear on the date the motion is noted unless directed by the court. A party desiring oral argument shall so indicate by typing ORAL ARGUMENT REQUESTED in the caption of its motion or responsive memorandum. If a request for oral argument is granted, the clerk will notify the parties of the date and time for argument.

(5) *Decisions on Motions.* All motions will be decided as soon as practicable, and normally within thirty days following the noting date. The court encourages counsel to call the assigned judge's in-court deputy clerk to verify that a motion is scheduled for determination if a decision on the motion has not been received within 45 days of the noting date.

### **(c) Reserved**

### **(d) Consideration of Motions and Briefing Schedules**

Unless otherwise provided by rule or court order, motions shall be noted for consideration as follows:

(1) Stipulations and agreed motions (see CR 10(g)), motions to file over-length motions or briefs (see CR 7(f)), motions for reconsideration (see CR 7(h)), joint submissions pursuant to the optional procedure established in CR 37(a)(1)(B), motions for default (see CR 55(a)), requests for the clerk to enter default judgment (see CR 55(b)(1)), ex parte motions, and motions for the court to enter default judgment where the opposing party has not appeared (see CR 55(b)(2)), shall be

noted for consideration for the day they are filed.

(2) All other motions shall be noted for consideration on a Friday. Pursuant to a General Order of this court, the following motions may be noted for consideration no earlier than the second Friday after filing and service of the motion:

(A) motions for relief from a deadline;

(B) motions for protective orders;

(C) motions to seal (see CR 5(g)).

For any motion brought pursuant to this subsection, the moving party shall ensure that the motion papers are received by the opposing party on or before the filing date. Unless otherwise provided by court rule, any papers opposing motions of the type described in this subsection shall be filed and received by the moving party no later than the Wednesday before the noting date. Any reply papers shall be filed, and shall be received by the opposing party, no later than the noting date. Method of service is governed by electronic filing procedures. All motions filed in a case in which a party is under civil or criminal confinement shall be subject to the briefing schedule under Rule 7(d)(1) or 7(d)(3), not this subsection.

(3) All other nondispositive motions, except motions seeking a preliminary injunction, shall be noted for consideration no earlier than the third Friday after filing and service of the motion; and all dispositive motions and motions seeking a preliminary injunction shall be noted for consideration no earlier than the fourth Friday after filing and service of the motion. Any opposition papers shall be filed and served not later than the Monday before the noting date. If service is by mail, the opposition papers shall be mailed not later than the Friday preceding the noting date. Any reply papers shall be filed and served no later than the noting date.

(4) Except upon a showing of good cause, any motions in limine shall be filed as one motion and shall be noted for consideration no earlier than the third Friday after filing and service of the motion but no later than the Friday before any scheduled pretrial conference. Any opposition papers shall be filed and served no later than the Monday before the noting date. No reply papers shall be filed.

Any motion in limine must include a certification that the movant has in good faith conferred or attempted to confer with other affected parties in an effort to resolve which matters really are in dispute. A good faith effort to confer requires a face-to-face meeting or a telephone conference. If the court finds that counsel

for any party, or a party proceeding pro se, willfully refuses to confer, fails to confer in good faith, or fails to respond on a timely basis to a request to confer, the court may take action as stated in GR 3 of these rules.

**(e) Length of Motions and Briefs**

Except as otherwise provided by court order or rule, the length of motions and briefs shall be as follows:

- (1) Motions noted under CR 7(d)(1) shall not exceed six pages.
- (2) Motions noted under CR 7(d)(2) and briefs in opposition shall not exceed twelve pages. Reply briefs shall not exceed six pages.
- (3) Motions for summary judgment, motions to dismiss, motions for class certification and motions for preliminary injunction and briefs in opposition shall not exceed twenty-four pages. Reply briefs shall not exceed twelve pages. The filing of multiple dispositive motions to avoid the page limits of this rule is strongly discouraged and successive motions may be stricken.
- (4) All other motions noted under CR 7(d)(3) and briefs in opposition shall not exceed twelve pages. Reply briefs shall not exceed six pages.
- (5) Any motion in limine noted under CR 7(d)(4) and any brief in opposition shall not exceed eighteen pages.

**(f) Motions to File Over-length Motions or Briefs**

Motions seeking approval to file an over-length motion or brief are disfavored but may be filed subject to the following:

- (1) The motion shall be filed as soon as possible but no later than three days before the underlying motion or brief is due, and shall be noted for consideration for the day on which it is filed, pursuant to CR 7(d)(1).
- (2) The motion shall be no more than two pages in length and shall request a specific number of additional pages.
- (3) No opposition to the motion shall be filed unless requested by the court.
- (4) If the court grants leave to file an over-length motion, the brief in opposition will automatically be allowed an equal number of additional pages. In all cases,

the reply brief shall not exceed one-half the total length of the brief filed in opposition.

**(g) Requests to Strike Material Contained in Motion or Briefs**

Requests to strike material contained in or attached to submissions of opposing parties shall not be presented in a separate motion to strike, but shall instead be included in the responsive brief, and will be considered with the underlying motion. The single exception to this rule is for requests to strike material contained in or attached to a reply brief, in which case the opposing party may file a surreply requesting that the court strike the material, subject to the following:

- (1) That party must file a notice of intent to file a surreply as soon after receiving the reply brief as practicable.
- (2) The surreply must be filed within five days of the filing of the reply brief, and shall be strictly limited to addressing the request to strike.
- (3) The surreply shall not exceed three pages.
- (4) No response shall be filed unless requested by the court.
- (5) This rule does not limit a party's ability to file a motion to strike otherwise permitted by the Federal Rules of Civil Procedure, including Fed. R. Civ. P.12(f) motions to strike material in pleadings. The term "pleadings" is defined in Fed. R. Civ. P. 7(a).

**(h) Motions for Reconsideration**

(1) *Standard.* Motions for reconsideration are disfavored. The court will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to its attention earlier with reasonable diligence.

(2) *Procedure and Timing.* A motion for reconsideration shall be plainly labeled as such. The motion shall be filed within fourteen days after the order to which it relates is filed. The motion shall be noted for consideration for the day it is filed. The motion shall point out with specificity the matters which the movant believes were overlooked or misapprehended by the court, any new matters being brought to the court's attention for the first time, and the particular modifications being sought in the court's prior ruling. Failure to comply with this subsection may be grounds for denial of the motion. The pendency of a motion for reconsideration

shall not stay discovery or any other procedure.

(3) *Response.* No response to a motion for reconsideration shall be filed unless requested by the court. No motion for reconsideration will be granted without such a request. The request will set a time when the response is due, and may limit briefing to particular issues or points raised by the motion, may authorize a reply, and may prescribe page limitations.

**(i) Telephonic Motions**

Upon the request of any party, and with the court's approval, a motion may be heard by telephone without the filing of motion papers. No request for a telephonic motion shall be considered unless all counsel participate in the call making the request, or unless it is represented by counsel making the call that reasonable efforts have been made to include all counsel in the call, and that such efforts were unavailing. Whether such telephonic motions will be considered, what procedural requirements will be imposed, and the type of relief granted are within the sole discretion of the court.

**CR 8**

**RESERVED**

**CR 9**

**PLEADING ADMIRALTY AND OTHER SPECIAL MATTERS**

**(a) to (g) Reserved**

**(h) Admiralty and Maritime Claims**

The words "IN ADMIRALTY" shall be typed in capital letters above the cause number on the first page of a pleading setting forth a claim which is cognizable only in admiralty. The words "AT LAW AND IN ADMIRALTY" shall be typed in capital letters above the cause number on the first page of a pleading setting forth a claim for relief within the admiralty and maritime jurisdiction that is also within the jurisdiction of the court on some other ground.

**(i) Three Judge Court**

If the case is such that any party contends that it will require a hearing before a three judge court, the words "THREE JUDGE COURT" shall be typed in capital letters on the first page of the complaint, answer, or other pleading making such allegation