FILED IN THE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

OCT 13 1982

BRUCE RIFKIN, Clerk
By..... Deputy

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

IN RE: AMENDMENTS TO LOCAL CIVIL RULES (CRs)	GENERAL ORDER

The local civil rules ("CRs") of the Western District of Washington are hereby amended, as follows:

CR 6

TIME

(d) /~~Notice of Motion~~/ Consideration of Motions

When there has been an adverse appearance, and unless otherwise provided by rule or court order, motions (except motions for summary judgment) shall be scheduled for consideration for the third Friday after the motion is filed. Summary judgment motions shall be scheduled for consideration for the fourth Friday after the motion is filed. The motion shall include in its caption (immediately below the title of the motion) a designation of the Friday upon which the motion is to be noted upon the court's motion calendar. The form shall be as follows:

NOTE ON MOTION CALENDAR: (Date scheduled for consideration)

A separate note for the court's motion calendar is not required.

(e) Motions to Shorten or Enlarge Time

Requests to shorten or enlarge time for the placing of a motion on the court's motion calendar require the filing of a separate motion. The original motion should be noted in its heading for the Friday as determined by local civil rule 6(d). The motion to shorten or enlarge time shall include in its caption (immediately below the title of the motion) a designation of the date and hour when the motion to shorten or enlarge time will be presented to the court. The time of presentation shall be not less than 48 hours after the filing of the motion. The motion shall be served upon all parties before filing.

CR 7

PLEADINGS ALLOWED; FORM OF MOTIONS

(b) Motions and Other Papers

(3) Reply Brief. The moving party may, not later than 4:30 p.m. on the Thursday immediately preceding the Friday designated for consideration of the motion file with the Clerk a response to the statement of reasons and list of authorities filed by each party opposing the motion, together with any supporting material as provided in subsection (1) hereof.

Subsequent paragraphs of CR 7 are renumbered as follows: (4) Noncompliance; (5) Objections; and (6) Argument.

CR 10

FORM OF PLEADINGS

(e) Format

(7) Any document requiring the signature of the court shall provide as follows:

"Dated this . . . . . day of . (Insert Month) ., 19 . (Insert Year)

UNITED STATES DISTRICT JUDGE"

CR 23

CLASS ACTIONS

Section (g) Prevention of Potential Abuses of Class Actions is deleted in its entirety.

CR 40

ASSIGNMENT OF CASES FOR TRIAL

Delete Sections (a), (b), (c), (e) and (f) and amend Sections (d) and (g), as follows:

(a) Orders by Court

The court may make such orders as may facilitate the prompt and just disposition of any action. If an action is at issue the court may order a pretrial conference under Rule 16 of the Federal Rules of Civil Procedure, or may order it set down for final disposition on a specified date, or may place it on a calendar for trial or hearing in due course.

(b) Responsibility of Attorney /~~In-Next-Ready-Case~~7

Responsibility for the appearance of attorneys, parties and witnesses in court in readiness for trial is on the attorneys of record and is not on the Clerk. Attorneys of record shall advise the Clerk, upon request, regarding their readiness for trial, probable duration of trial, and such other matters within their knowledge as may facilitate the performance of the Clerk's duties and the prompt trial of causes.

CR 79

BOOKS AND RECORDS KEPT BY THE CLERK AND ENTRIES THEREIN

Section (g) Custody and Disposition of Exhibits shall be deleted in its entirety and the following substituted therefor:

(g) Custody and Disposition of Exhibits, Depositions

and Transcripts.

After being marked for identification, exhibits of a documentary nature introduced in evidence in any case pending or tried in this court, shall be placed in the custody of the Clerk unless otherwise ordered by the court. All other exhibits, models and material offered or admitted in evidence shall be retained in the custody of the attorney or party producing the same at trial. All exhibits received in evidence that are in the nature of narcotic drugs, legal or counterfeit money, firearms or contraband of any kind, shall be retained by the United States Attorney or his designee pending disposition of the case and for any appeal period thereafter.

A party or his attorney who has custody of an exhibit shall keep it available for the use of the court or an appellate court, and shall grant the reasonable request of any party to examine or reproduce the exhibit for use in the proceeding.

The court, upon application, will order documentary exhibits retained by the Clerk returned to the party to whom they belong, upon the filing of copies thereof, approved by counsel for all parties concerned, in place of the originals.

After final judgment and after the time for appeal and motion for new trial has passed, or upon the filing of a stipulation waiving and abandoning the right to appeal, and to a new trial, the Clerk is authorized, without further order of the court, to return all exhibits, depositions and transcripts of testimony or proceedings in civil, criminal and bankruptcy cases to the respective parties or their counsel.

These amendments shall become effective immediately

upon the filing of this order.

DATED this 13th day of October, 1982.

CHIEF UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT JUDGE