FILED IN THE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
NORTHERN DIVISION

OCT 4 - 1956

MILLARD P. THOMAS, Clerk
By Seymour Egger Deputy

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

In the Matter of)
)
Local Rules of Court)

O R D E R

L.C.B. #21, pg. 33-A to C.

By way of rule amendments it is by the Court hereby ORDERED that:

A. Respecting "LOCAL RULES W. D. WASH."

1. Rule 8. In the first line, before the word "Monday" insert "At Seattle", and after the word "week", add the words "and at Tacoma the first and third Mondays of each month".

Rule 8(a). Strike the following words from the first line, "At Seattle and Tacoma Mondays shall be", and from the second line strike the phrase "on which" where it occurs in both places in that line, and insert in the first line the word "On" before the words "Motion Days".

Rule 8(b). Add after the period at the end of this rule, these words "See also Rule 9."

Rule 8(c). Strike all of present 8(c) except its number, and substitute therefor the following: "If a notice of motion be filed too late, the motion shall be heard on the next following regular motion day."

2. Rule 9. Add after sub-paragraph (d) the following as a new sub-paragraph:

"(e) The provisions of Rule 9 shall apply to motions in criminal cases also."

3. Rule 10(a). At the end of the first line, strike the word "only" and in the second line after the word "court", insert the words "Monday through Friday", and after the word "sessions" put a period, and strike all the words and figures of the paragraph after that period.

FPI-INC-ERO-11-17-47-70M-5028

4. Rule 18. In the caption, after the word "Takin and before "Depositions", insert "and Publishing". From ne to the last sentence in the rule, strike these words "and give notice thereof by mail to the attorneys for the respec parties", and after the word "file" and before the word "it in the second line of that sentence, insert a comma and nex after it the words ", open and publish", and put a period after the word "forthwith" in that same line.

5. Rule 20 is abolished.

6. Rule 22. In paragraph (b) thereof, strike "(fo 20 days)" from the first line thereof and at the end of the third line, add "or specially".

7. Rule 36. Strike the present caption and substi tute therefor the following: "Filing--Trial--Place of".

Retain the first seventeen lines of the Rule in the present form and place. Following the 17th line ending wit the words "Northern Division", insert a new unnumbered para graph as follows:

"As to some other situations concerning the particu Division in which actions should be filed, see Secs. 1391, 1392 and 1393, Title 28 U.S.C."

Strike the sentence beginning with the words "The court" in the 18th line of the Rule and ending with the wor "either office" in the 21st line, and substitute therefor t following unnumbered paragraph:

"Unless otherwise provided by law, the Court or any Judge thereof may by order at any time transfer any files from one Clerk's office to another in the District, and may by order direct or permit any paper or papers to be filed i any such office. See also Sec. 1404, Title 28 U.S.C."

Interchange the positions of the two sentences in t remainder of Rule 36 and write them as separate paragraphs

in the following order as to words and sentences:

"In proceedings relating to Admiralty or Bankruptcy filings shall be made in the Clerk's office as provided by the Admiralty and Bankruptcy rules respectively.

"Unless the Court otherwise directs, criminal cases and civil actions will be tried at the Court House in the city where the papers are on file."

8. Rule 37. As to the second paragraph of sub-par graph (a), strike from the 3rd, 4th and 5th lines thereof t following words and semi-colon: "Cases of each class excep criminal cases shall be arranged in such class according to the dates of their requests for trial; and". Capitalize th letter "I" in the first word "in" in the 5th line of such second paragraph. Eliminate the paragraphic form of the words, pigeon punctuation, symbols and sentences following the word "to-wit" in sub-paragraph (a).

Sub-paragraph (d), after the word "copy" in the 2nd line of that sub-paragraph, strike the word "thereof" and substitute therefor the words "of that calendar", and after the word "called" in the 4th line of that sub-paragraph, insert the words "notice of the call" followed by a period, and strike from the 4th, 5th and 6th lines of that sub-para graph the following words: "copies of those parts of the call calendar which relate to the cases in which such attorn have appeared."

9. Rule 43. Strike all of the words in the second sentences appearing in the 4th, 5th, 6th and 7th lines, and strik the last sentence in that Rule 43.

10. Rule 45. Wherever "7¢" is stated, strike the same and substitute "8¢" therefor. Wherever "$5.00" is stated, strike the same and substitute "$8.00" therefor.

11. Rule 48. Sub-paragraph (f), after the word "trial" in the first line of that sub-paragraph, insert the

FPI-INC-ERO-11-17-47-70M-3029

words "as to any part of a case", and in the second line th of, strike the word "thereon" and substitute therefor the words "as to such part", and in the 4th line thereof after the word "had" and before the period following it, insert the words "as to such part".

12. Rule 50. In the second line thereof after the word "state", and before the comma, insert the following words: "or a corporation not incorporated under the laws o the State of Washington".

13. Rule 52. Put a period after word "Deposit" in the caption, and strike from the caption the words "in Lieu of Bond". Substitute a comma for the period after the word "surety-ship" near the end of the third line from the end o that rule; after the comma, insert the following: "or (3)" change the article capital "A" at the end of that third lin to a small "a"; from the last line of that rule, strike the words "in lieu of" following the word "Clerk", substitute therefor "upon the", and insert the word "of" after the wor "filing" in that last line. Strike the period at the end of that last sentence, in which after the word "bond", add the following words: "signed by the principals". Put a period after the last of such added words.

14. Rule 56. Sub-paragraph (d), strike the words "the clerk's" and substitute therefor the word "statutory".

Sub-paragraph (e), insert at the end of the first sentence the following sentence: "If no objections are entered to a Memorandum of Costs, the correctness thereo shall be deemed confessed."

Sub-paragraph (g)(4), the last sentence is stricken and abolished.

Sub-paragraph (g)(9), the whole of said sub-par graph is stricken and abolished.

B. RESPECTING "LOCAL ADMIRALTY RULES, W. D. WASH."

1. Rule 13. After the comma following the word "court" at the end of the third sentence in the second paragraph, insert the words "nor in the case of claimants in limitation of liability proceedings or food and drug cases" followed by a comma.

2. Rule 16. From the second line strike the letter "A", the period next after it, and also the number "754", and substitute the number "2464" for such stricken number.

3. Add (several spaces below the last word in Admiralty Rule 42) the following statement as an unnumbered paragraph:

"This Court's Prize Rules and Standing Interrogatories are omitted from this publication of these "Local Admiralty Rules, W. D. Wash." because they are not used enough to justify the cost of printing them."

C. RESPECTING "LOCAL BANKRUPTCY RULES, W. D. WASH."

1. Rule 6(f) is abolished.

2. Rules 11, 12 and 13 are abolished.

Dated this 4th day of October, 1956.

John C. Bowen
United States District Judge

William J. Lindberg
United States District Judge

Reg. K. Beard
United States District Judge

FPI-INC-ERG-11-17-47-70M-9029