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FEB 22 1996

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

In the matter of DIVISION OF COURT BUSINESS	GENERAL ORDER

Pursuant to the provisions of Title 28, United States Code, Section 137, it is hereby agreed and ordered by the active judges of this court that the division of this court's business among said judges shall be as hereinafter stated:

1. As used herein:

   A. Civil cases include bankruptcy appeals, habeas corpus petitions, and contested miscellaneous matters, but excludes Section 2255 motions and other similar cases described in paragraph 8.

   B. Criminal cases include appeals from magistrate judges and all proceedings under Rules 7, 20 and 40 FRCrP.

2. All civil cases filed in this district shall be assigned as follows:

   -- All civil cases filed at Tacoma equally to the active district judges.

   -- All other civil cases filed at Seattle equally to the active district judges.

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3. All criminal cases filed in this district shall be assigned as follows:

-- All criminal cases at Tacoma equally to the active district judges.

-- All criminal cases at Seattle equally to the active district judges.

4. All naturalization proceedings at Tacoma, including contested petitions, shall be handled by Judge Franklin D. Burgess.

5. Judge John C. Coughenour shall be responsible for the call and discharge of grand juries, the return of indictments, and all other matters related to the functions of the grand juries.

6. Judge Barbara J. Rothstein shall be responsible for all issues involving the jury selection process and the call and qualification of petit jurors. Judge Franklin D. Burgess shall be responsible for the call and qualification of petit jurors and the jury selection process in Tacoma.

7. Judge Thomas S. Zilly shall be responsible for all naturalization proceedings at Seattle, including contested petitions.

8. Judge William L. Dwyer shall be responsible for all claims for wages and effects of deceased and deserting seamen; and unassigned ex parte matters in Seattle. Judge Robert J. Bryan shall be responsible for all claims for wages and effects

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of deceased and deserting seamen; and unassigned ex parte matters in Tacoma.

9. Proceedings under Section 2255, Title 28, United States Code, shall be assigned to and handled by the judge who imposed the sentence involved.

10. If immediate action is necessary in any case or proceeding assigned to a particular judge and that judge is unavailable for any reason, any other judge may hear and dispose of the matter requiring immediate attention, but such action shall not constitute reassignment of the case or proceeding.

11. A. When civil or criminal actions involving a common question of law and fact (but not necessarily the same parties) are assigned to different judges and it appears to any judge of this court that there may be good reason to assign all of said actions to one judge, such may be assigned to the judge to whom the case bearing the earliest filing date was assigned, at his or her option.

B. Motions to consolidate civil or criminal actions for trial, or otherwise, shall be heard by the judge to whom the case bearing the earliest filing date has been assigned, and in the event consolidation is ordered, the consolidated cases shall be heard by said judge.

12. The reassignment of a case necessitated by the disqualification of a judge shall be to the judge to whom the next case filed would have been assigned; the judge who has

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disqualified himself/herself shall be assigned an additional case the next time his/her name is reached in the assignment wheel.

13. The assignment of all civil and criminal cases as above noted is made subject to such change or changes as may be established by the chief judge for the purposes of equalization of case assignments to all active judges of the district.

14. The clerk shall refer any matter or proceeding not provided for under this division of business order to the chief judge for assignment or disposition.

15. Notwithstanding the foregoing provisions, each of the judges of this court shall have and perform any and all acts of authority and duty otherwise by law conferred upon him or her to hear, try and dispose of any and all of the cases, matters and business of this court when he or she consents to do so.

16. All conflicting orders concerning the division of this court's business heretofore entered are vacated by this order. This order shall be effective immediately and remain in force until rescinded.

Dated this 22 day of February, 1996.

Carolyn R. Dimmick

HONORABLE CAROLYN R. DIMMICK
CHIEF UNITED STATES DISTRICT JUDGE

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