

### INTRADISTRICT ASSIGNMENT OF REMOVAL CASES

**LCR 3(d)(1)** In all civil cases in which all defendants reside, or in which all defendants have their principal places of business, or in which the claim arose in the counties of Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Kitsap, Lewis, Mason, Pacific, Pierce, Skamania, Thurston, and Wahkiakum, the case will usually be assigned to a judge in Tacoma. In cases where all defendants have their principal places of business, or in which the claim arose in the counties of Island, King, San Juan, Skagit, Snohomish, or Whatcom, the case will be assigned to a judge in Seattle. A civil action arises where a substantial part of the events or omissions that give rise to the claim occurred or where a substantial part of the property that is the subject of the action is situated. ~~The same criteria shall be used to determine intradistrict assignment when cases are removed from state courts.~~ **Cases removed from state court will be initially assigned to the Seattle Division or Tacoma Division according to the county where the action is pending.**

**LCR 101 (e)** In a case removed from state court, the removing party must include in the notice of removal a paragraph titled; “Intradistrict Assignment” that identifies **any basis** ~~the reason(s) why the party is choosing to remove~~ **for reassigning the case** to the Seattle Division or to the Tacoma Division, ~~as set forth in~~ **pursuant to the assignment criteria listed in LCR 3(d).** If the removal is based on diversity, the notice of removal must also, to the extent possible, identify the citizenship of the parties, and, if any of the parties is a limited liability corporation (LLC), a limited liability partnership (LLP), or a partnership, identify the citizenship of the owners/partners/members of those entities to establish the court’s jurisdiction.

### REMOVAL TOPICS OF CONCERN TO CLERK’S OFFICE

**LCR 101(b)** In cases removed from state court, the removing defendant(s) shall file contemporaneously with ~~his or her~~ **the** notice of removal a copy of the operative complaint, which must be attached as a separate “attachment” in the electronic filing system and labeled as the “complaint” or “amended complaint.” Defendant-s **must include a** certificate of service ~~must list~~ **which lists** all counsel and pro se parties who have appeared in the action with their contact information, **including email address.** **In addition a copy of any Jury Demand filed in the state court must be filed as an attachment and labeled “Jury Demand.”** The removing defendant(s) shall, within fourteen days of filing the notice of removal, file with the clerk of this court black-on-white copies of all additional records and proceedings in the state court, together with defendant’s or defense counsel’s verification that they are true and complete copies of all the records and proceedings in the state court proceeding. The copies need not be certified or exemplified by the state court, and the added cost of certification or exemplification will not be allowed as a cost item under 28 U.S.C. § 1920(4) unless certification is required after an opposing party challenges the accuracy of the copies. Records and proceedings in the state court, filed with the notice of removal, need not be refiled.

## RECUSAL

**LCR 3(e)** Whenever a motion to recuse directed at a judge of this court is filed pursuant to 28 U.S.C. § 144 or 28 U.S.C. § 455, the challenged judge will review the motion papers and decide whether to recuse voluntarily. If the challenged judge decides not to voluntarily recuse, he or she will direct the clerk to refer the motion to the chief judge, or the chief judge's designee. If the motion is directed at the chief judge, or if the chief judge or the chief judge's designee is unavailable, the clerk shall refer it to the active judge with the highest seniority.

## FAILURE TO OPPOSE MOTION FOR SUMMARY JUDGMENT

**LCR 7(b)(2) *Obligation of Opponent.*** Each party opposing the motion shall, within the time prescribed in LCR 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). Except for motions for summary judgment, 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.