UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE:

ADOPTING AMENDMENTS TO LOCAL CIVIL RULES

GENERAL ORDER NO. 02-16

Pursuant to 28 USC 2071 and Federal Rule 83, it is hereby ORDERED that Civil Rules 6, 7.1, 10, 15, 16, 26, 65, 65.1, 67, and 100 are amended as reflected in the attachment to this order and as set forth on the court's web site, www.wawd.uscourtsgov

The amendments are effective immediately.

The local rules, as amended, shall apply to every civil case pending in the Western District of Washington, without regard to when the case was filed. The amendments do not alter any court-imposed deadline that sets a date certain. For actions pending on January 1, 2016, if fewer than 14 days remain to perform an act otherwise governed by these rules, the provisions of the local rules that were in effect on January 1, 2016, shall apply to that act.

Dated this 21st day of January, 2016.

Marsha J. Pechman
United States Chief District Judge

LCR 6

COMPUTING AND EXTENDING TIME

(a) Computing Time

When the Local Rules or a court order permits a party to act within a period of time stated in days or a longer unit of time and the last day of the period is a Saturday, Sunday, or legal holiday, the time period continues to run until the following day that is not a Saturday, Sunday, or legal holiday. If an order of the court sets a specific calendar date by which a party must act, the date is not extended even if it falls on a Saturday, Sunday, or legal holiday unless otherwise ordered by the court. If access to the electronic filing system is not available due to failure of the court's filing system(s) for a period longer than two hours, or any period after 5pm, or if the courthouse is closed for unanticipated reasons, filing deadlines are extended to the next business day. If the closure results in a party having additional time to file a response to a motion, then the deadline for the party filing a reply shall be extended by the same number of days.

(b) Motions to shorten time have been abolished.

LCR 7.1

CORPORATE DISCLOSURE STATEMENT

(a) Who Must File; Copies

Any nongovernmental party, other than an individual or sole proprietorship, must file a corporate disclosure statement identifying:

(1) any parent corporation and any publicly held corporation owning more than 10% of its stock;

(2) any member or owner in a joint venture or limited liability corporation (LLC);

(3) all partners in a partnership or limited liability partnership (LLP); or

(4) any corporate member, if the party is any other unincorporated association

If there is no parent, shareholder, member, or partner to list in response to items (1) through (4), a corporate disclosure statement must still be filed stating that no such entity exists.

LCR 10

FORM OF PLEADINGS, MOTIONS AND OTHER FILINGS

(a) through (c) Reserved

(d) Size

Page size of all pleadings, motions and other filings shall be 8 ½ x 11 inch.

(e) Format

All pleadings, motions or other filings should include the following:

(1) *Margins and Fonts.* No less than three inches of space should be left at the top of the first page. All other margins must be at least one inch wide, although formatted lines and numbering, attorney information, the name of the judge(s) to whom copies should be sent, and footers may be placed in the margins. Examples of correctly formatted pages are attached as Appendix A. The text of any typed or printed brief must be 12 point or larger and must, with the exception of quotations, be double spaced. Footnotes must be 10 point or larger and may be single spaced.

(2) *Title.* Each pleading, motion or other filing shall contain the words "United States District Court, Western District of Washington" on the first page and, in the space below the docket number, a title indicating the purpose of the paper and the party presenting it.

(3) *Bottom Notation.* At the left side of the bottom of each page, an abbreviated title of the pleading, motion or other filing should be repeated, followed by the case number. The page number should be placed after the abbreviated title or in the middle of the bottom of each page. At the right side of the bottom of each page, the law firm (if any), mailing address and telephone number of the attorney or party preparing the paper should be printed or typed.

(4) *Dates and Signature Lines.* All pleadings, motions and other filings shall be dated and signed as provided by Federal Rule of Civil Procedure 11, LCR 11, and the court's Electronic Filing Procedures. The court might not consider improperly signed or unsigned documents.

(5) *Numbered Paper.* Each pleading, motion or other filing shall bear line numbers in the left margin, leaving at least one-half inch of space to the left of the numbers.

(6) *Citation to the Record.* In all cases where the court is to review the proceedings of an administrative agency, transcripts, deposition testimony, etc., the parties shall, insofar as possible, cite the page and line of any part of the transcript or record to which their pleadings, motions or other filings refer. Citations to documents already in the record, including declarations, exhibits, and any documents previously filed, must include a citation to the docket number and the page number (*e.g.*, Dkt. # __ at p. __) and citations to legal authority must include page numbers.

(7) *Proposed Orders.* Any document requiring the signature of the court shall bear the signature of the attorney(s) presenting it preceded by the words "Presented by" on the left-hand side of the last page and shall provide as follows:

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

"

"UNITED STATES DISTRICT JUDGE [or UNITED STATES MAGISTRATE JUDGE]"

(8) *Electronic Filing of Documents.* All documents filed with the court shall be in accordance with the Electronic Filing Procedures for Civil and Criminal Cases adopted by General Order of the court. The Electronic Filing Procedures are available on the court's web site at www.wawd.uscourts.gov and from the Clerk's Office.

(9) *Courtesy Copies.* When documents that exceed 50 pages in length are filed electronically, a paper copy of the document shall be delivered to the Clerk's Office for chambers. The judge's copy shall not be delivered directly to chambers unless the judge has so instructed. The copy for chambers shall be clearly marked with the words "Courtesy Copy of Electronic Filing for Chambers."

The copies of all papers must indicate in the upper right-hand corner of the first page the name of the district judge or magistrate judge to whom the copies are to be delivered. Courtesy copies must be delivered to the court no later than 12:00 p.m. on the business day after filing, except that courtesy copies of motions for temporary restraining orders and oppositions must be delivered the same day. Unless the court otherwise directs, the parties shall not provide duplicate copies of state court records in prisoner cases or of an administrative record filed pursuant to LCR 79(h).

In those circumstances where a judge's courtesy copy of a document is to be delivered to the court, it shall contain no items other than 8 ½ x 11 inch paper, unless larger original documents are being filed as exhibits. Copies may not be submitted in three-ring binders, but must be three-hole punched, tabbed, and bound by rubber bands or clips.

The courtesy copy must be identical to the filed copy. For electronic filers, the courtesy copy must be printed from PACER so that the CM/ECF header, which contains the cause number and docket number, appears at the top of each page. Parties should consult their assigned judge's web page at www.wawd.uscourts.gov for additional guidance regarding courtesy copies.

(10) *Marking Exhibits.* All exhibits submitted in support of or opposition to a motion must be clearly marked with divider pages. References in the parties' filings to such exhibits should be as specific as possible (i.e., the reference should cite specific page numbers, paragraphs, line numbers, etc.). All exhibits must be marked to designate testimony or evidence referred to in the parties' filings. Acceptable forms of markings include highlighting, bracketing, underlining or similar methods of designations but must be clear and maintain the legibility of the text.

(11) *Format of Originals*. Originals of documents filed with the court shall not contain double-sided pages or items other than 8 ½ x 11 inch paper, unless double-sided or larger original documents are being filed as exhibits.

(f) Name and Address of Parties and Attorneys

Any attorney representing any party or any party not represented by an attorney must file a notice with the court of any change in address, telephone number or e-mail address. Such notice must be received by the Clerk's Office within ten days of the change. All subsequent pleadings, motions or other filings shall reflect the new address and telephone number. The address and telephone number of the party or its attorney, noted on the first pleadings, motions or other filings or as changed by individual notice, shall be conclusively taken as the last known address and telephone number of said party or attorney.

(g) Stipulated Motions

If the parties seek a court order related to their stipulation, they should file a stipulated motion pursuant to LCR 7(d)(1). If a stipulated motion would alter dates or schedules previously set by the court, the parties shall clearly state the reasons justifying the proposed change. Such stipulated motions should rarely be necessary, and are disfavored by the court. Stipulations and stipulated motions shall be binding on the court only if adopted by the court through an order. An order based upon a stipulation shall be sufficient if the words "It is so ordered," or their equivalent, are endorsed on the stipulation at the close thereof and if this endorsement is signed by the court.

LCR 15

AMENDED PLEADINGS

A party who moves for leave to amend a pleading, or who seeks to amend a pleading by stipulation and order, must attach a copy of the proposed amended pleading as an exhibit to the motion or stipulation. The party must indicate on the proposed amended pleading how it differs from the pleading that it amends by bracketing or striking through the text to be deleted and underlining or highlighting the text to be added. The proposed amended pleading must not incorporate by reference any part of the preceding pleading, including exhibits. If a motion or stipulation for leave to amend is granted, the party whose pleading was amended must file and serve the amended pleading on all parties within fourteen (14) days of the filing of the order granting leave to amend, unless the court orders otherwise.

LCR 16

PRETRIAL CONFERENCES; SCHEDULING; MANAGEMENT

(a) Scheduling Conference or Joint Status Report

As soon as practicable after a case is filed, the court shall convene a scheduling conference, or order the submission of a joint status report, or both.

(1) *Scheduling Conference.* Counsel with principal responsibility for a case and all pro se parties shall attend the scheduling conference. Counsel and all pro se parties shall be prepared to discuss at the scheduling conference those matters listed in Fed. R. Civ. P. 16(c)(2) and 26(f) and LCR 26(f) and to state whether there is a significant possibility that early and inexpensive resolution of the case would be fostered by any alternative dispute resolution ("ADR") procedure, as described in Rules 39.1 and 39.2 of these rules. The parties should identify any appropriate ADR procedure, and suggest at what stage of the case it should be employed.

(2) *Joint Status Report.* In their joint status report, the parties must address all of the topics set forth in Fed. R. Civ. P. 26(f)(3) and in LCR 26(f).

Parties should not include requests for relief from the court in the joint status report, and the court typically will not rule on such requests. Rather, requests for relief should be contained in a stipulated motion, where feasible, or in a motion.

(b) Scheduling Order; Exemption of Certain Types of Cases

(1) *Scheduling Order.* The court shall enter a written scheduling order as prescribed in Rule 16(b) of the Federal Rules of Civil Procedure. The scheduling order shall include, among other things, deadlines for the completion of discovery and the filing of dispositive motions.

(2) *Discovery Deadline.* Interrogatories, requests for admissions or production, etc., must be served sufficiently early that all responses are due before the discovery deadline. Any motion to compel discovery shall also be filed and served on or before this deadline or as directed by court order.

(3) *Dispositive Motions.* Not later than the deadline to file dispositive motions, unless otherwise ordered by the court, parties shall file all motions to dismiss, motions for summary judgment, other dispositive motions, and other reasonably foreseeable motions, together with supporting papers.

(4) *Modifying a Schedule.* The parties are bound by the dates specified in the scheduling order. A schedule may be modified only for good cause and with the judge's consent. Mere failure to complete discovery within the time allowed does not constitute good cause for an extension or continuance.

(5) *Exemption of Certain Types of Cases.* The court exempts certain types of cases from the requirements of this local rule and of Fed. R. Civ. P. 16(b), including: any case exempt from the initial disclosure requirements under Fed. R. Civ. P. 26, proceedings upon a defendant's default, bankruptcy proceedings before this court, condemnation cases, forfeiture actions, and cases filed as miscellaneous matters before this court.

(c) Orders for Further Conference, Reports, or ADR Procedures

At any stage of the case, the court may do one or more of the following:

(1) schedule a conference for some or all of the purposes prescribed for the initial scheduling conference;

(2) direct a written report from the parties as to the advisability of employing any ADR procedure;

(3) direct the parties to participate in an ADR procedure; provided, that the court shall order participation in an arbitration or a summary jury trial only with the agreement of all parties.

(d) Later Recommendations of Parties for ADR Proceedings

As the case proceeds, if counsel for any party concludes that an ADR procedure would have a significant possibility of fostering an early and inexpensive resolution of the case, that counsel shall so advise the court and all other counsel in writing. Whenever possible, such reports should be submitted jointly by counsel for all parties.

(e) Proposed Pretrial Order

The proposed pretrial order, bearing the signatures of counsel for each party, shall be filed 30 days prior to the scheduled trial date, unless otherwise ordered by the court.

(f) Reserved

(g) Reserved

(h) Plaintiff's Pretrial Statement

Not later than 30 days prior to the date for filing the proposed pretrial order, counsel for plaintiff(s) shall serve upon counsel for all other parties a brief statement as to:

(1) Federal jurisdiction;

(2) Which claims for relief plaintiff intends to pursue at trial, stated in summary fashion;

(3) Relevant facts about which plaintiff asserts there is no dispute and which plaintiff is prepared to admit;

(4) Issues of law;

(5) The names and addresses of all witnesses who might be called by plaintiff, and the general nature of the expected testimony of each. As to each witness, plaintiff shall indicate "will testify" or "possible witness only." Rebuttal witnesses, the necessity of whose testimony cannot reasonably be anticipated before trial, need not be named;

(6) A list of all exhibits which will be offered by plaintiff at the time of trial, except exhibits to be used for impeachment only, and a statement of whether the plaintiff intends to present exhibits in electronic format to jurors. The exhibits shall be numbered in the manner required by the assigned judge during a pre-trial conference, in the applicable case management order, or by other order. Further clarification may be obtained by reviewing the assigned judge's web page at http://wawd.uscourts.gov or, in the absence of guidance in an order or on the web page, by contacting the assigned judge's courtroom deputy.

(i) Defendant's Pretrial Statement

Not later than 20 days prior to the filing of the proposed pretrial order, each defense counsel shall serve upon counsel for all other parties a brief statement as to:

(1) Objections, additions or changes which defendant believes should be made to plaintiff's statement on federal jurisdiction and admitted facts;

(2) Which affirmative defenses and/or claims for relief defendant intends to pursue at trial, stated in summary fashion;

(3) Objections, additions or changes which defendant believes should be made to plaintiff's statement of issues of law;

(4) The names and addresses of all witnesses who might be called by defendant, and the general nature of the expected testimony of each. As to each witness, defendant shall indicate "will testify" or "possible witness only." Rebuttal witnesses, the necessity of whose testimony cannot reasonably be anticipated before trial, need not be named;

(5) A list of all exhibits which will be offered by defendant at the time of trial, except exhibits already listed by plaintiff and exhibits to be used for impeachment only, and a statement of whether the defendant intends to present exhibits in electronic format to jurors. All exhibits shall be numbered in the manner required by the assigned judge during a pre-trial conference, in the applicable case management order, or by other order. Further clarification may be obtained by reviewing the assigned judge's web page at http://wawd.uscourts.gov or, in the absence of guidance in an order or on the web page, by contacting the assigned judge's courtroom deputy.

No party is required to list any exhibit which is listed by another party.

(j) Review of Exhibits

Each exhibit listed in the pretrial statement of a party shall be promptly made available for inspection and copying upon request by counsel for any other party. Prior to the conference of

attorneys, counsel for each party shall review every exhibit to be offered by any other party, and shall provide counsel for all other parties with a list stating whether, as to each exhibit, the party will (1) stipulate to admissibility, (2) stipulate to authenticity but not admissibility, or (3) dispute authenticity and admissibility.

(k) Conference of Attorneys

Not later than ten days prior to the filing of the proposed pretrial order, there shall be a conference of attorneys for the purpose of accomplishing the requirements of this rule. It shall be the duty of counsel for the plaintiff to arrange for the conference. The attorney principally responsible for trying the case on behalf of each party shall attend the conference. Each attorney shall be completely familiar with all aspects of the case in advance of the conference, and be prepared to enter into stipulations with reference to as many facts and issues and exhibits as possible, and to discuss the possibility of settlement. At the conference, counsel shall cooperate in developing a proposed pretrial order which can be signed by counsel for all parties. Except in land condemnation cases, the order shall, insofar as possible, be in the form set forth below in LCR 16.1. The parties' witness lists may be on separate pages. Counsel shall assemble a single pretrial order, properly paginated.

(l) Final Pretrial Conference

The court may, in its discretion, schedule a final pretrial conference. Counsel who will have principal responsibility for trying the case for each party shall attend, together with any party proceeding pro se. At the final pretrial conference, the court may consider and take action with respect to:

(1) The sufficiency of the proposed pretrial order;

(2) Any matters which may be presented relative to parties, process, pleading or proof, with a view to simplifying the issues and bringing about a just, speedy and inexpensive determination of the case;

(3) In jury cases, whether the parties desire to stipulate that a verdict or a finding of a stated majority of the jurors shall be taken as the verdict or finding of the jury;

(4) Requirements with respect to trial briefs;

(5) Requirements with respect to requests for instruction and suggested questions to be asked by the court on voir dire in cases to be tried by jury;

(6) The number of expert witnesses to be permitted to testify on any one subject;

(7) The possibility of settlement; but nothing with respect thereto shall be incorporated in the pretrial order, and any discussion with respect to settlement shall be entirely without prejudice, and may not be referred to during the trial of the case or in any arguments or motions.

(m) Other General Provisions

(1) In order to accomplish effective pretrial procedures and to avoid wasting the time of the parties, counsel, and the court, the provisions of this rule will be strictly enforced. Sanctions and penalties for failure to comply are set forth in LCR 11 and in the Federal Rules of Civil Procedure.

(2) The court may, by order in a specific case, modify or forego any of the procedures or deadlines set forth in this rule.

(3) A party proceeding without counsel shall comply in all respects with obligations imposed upon "counsel" under this rule.

(4) The full-time magistrate judges of this court are authorized to conduct pretrial conferences, enter and modify scheduling orders, and perform all other functions performed by district judges under Fed. R. Civ. P. 16 and this rule.

LCR 26

DUTY TO DISCLOSE; GENERAL PROVISIONS GOVERNING DISCOVERY

(a) Required Disclosures

(1) Reserved

(2) Reserved

(3) *Pretrial Disclosures.* Unless otherwise directed by the court, the disclosures listed in Fed. R. Civ. P. 26(a)(3) shall be made in the manner and in accordance with the schedule prescribed in LCR 16. A party shall state any objections to exhibits in the manner prescribed in that rule. Objections not so disclosed, other than objections under Rules 402 and 403 of the Federal Rules of Evidence, shall be deemed waived unless excused by the court for good cause shown.

(4) Reserved

(b) Reserved

(c) Protective Orders

(1) Any motion for a protective order must include a certification, in the motion or in a declaration or affidavit, that the movant has engaged in a good faith meet and confer conference with other affected parties in an effort to resolve the dispute without court

action. The certification must list the date, manner, and participants to the conference. If the movant fails to include such a certification, the court may deny the motion without addressing the merits of the 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 LCR 11 of these rules.

(2) Parties may file a proposed stipulated protective order to protect confidential, proprietary, or private information that warrants special protection. The court may enter a proposed stipulated protective order as an order of the court if it adequately and specifically describes the justification for such an order, it is consistent with court rules, it does not purport to confer blanket protection on all disclosures or responses to discovery, its protection from public disclosure and use extends only to the limited information or items that are entitled to confidential treatment under the applicable legal principles, and it does not presumptively entitle the parties to file confidential information under seal. Parties are encouraged to use this district's model protective order, available on the court's website. Parties that wish to depart from the model order must provide the court with a redlined version identifying departures from the model.

(d) Reserved

(e) Reserved

(f) Conference of the Parties; Planning for Discovery

The rule is intended to promote the just, efficient, speedy, and economical determination of every action and proceeding and to promote, wherever possible, the prompt resolution of discovery disputes without court intervention. Counsel are expected to cooperate with each other to reasonably limit discovery requests, to facilitate the exchange of discoverable information, and to reduce the costs of discovery.

The proportionality standard set forth in Fed. R. Civ. P. 26(b)(1) must be applied in every case when parties formulate a discovery plan and promulgate discovery requests. To further the application of the proportionality standard in discovery, discovery requests and related responses should be reasonably targeted, clear, and as specific as possible.

(1) Prior to the initial status conference with the court, if any, or prior to submitting their joint status report, counsel and any pro se parties shall meet and discuss, and address in their joint status report if the court orders one, the topics set forth in Fed. R. Civ. P. 26(f) and the following issues:

(A) possibilities for promptly settling or otherwise resolving the case;

(B) whether the parties plan to engage in some form of alternative dispute resolution ("ADR"), such as mediation or the individualized trial program set

forth in LCR 39.2, when they plan to engage in ADR, or why the parties do not plan to engage in ADR;

(C) the existence of any related cases pending before this court or in another jurisdiction as set forth in LCR 3(g) and (h) and a proposal for how to handle the related cases;

(D) a statement of how discovery will be managed to promote the expeditious and inexpensive resolution of the case, including but not limited to:

(i) forgoing or limiting depositions or exchanging documents informally;

(ii) agreeing to share discovery from third parties and the cost of obtaining that discovery;

(iii) scheduling discovery or case management conferences with the judge assigned to the case as necessary;

(iv) requesting the assistance of a magistrate judge for settlement conferences;

(v) requesting to use an abbreviated pretrial order; and

(vi) requesting other orders the court should enter under LCR 16(b) and (c).

(E) the targeted discovery that each side anticipates seeking;

(F) phasing motions to facilitate early resolution of potentially dispositive issues;

(G) any preliminary issues relating to the preservation of discoverable information and the scope of the preservation obligation;

(H) procedures for handling inadvertent production of privileged information and other privilege waiver issues pursuant to Rule 502(d) or (e) of the Federal Rules of Evidence;

(I) whether the case will involve the preservation and production of Electronically Stored Information ("ESI") and, if so:

(i) the nature, location, and scope of discoverable ESI; and

(ii) whether the parties agree to adopt the Model Agreement Regarding Discovery of Electronically Stored Information in Civil Litigation (the "Model ESI Agreement," which can be found under "Forms" on the court's website) or a modified version thereof;

(J) if one or more of the parties intend to engage in the discovery of ESI and are unable to agree to the Model ESI Agreement or a modified version thereof, whether they are able to reach agreement regarding the following topics and the substance of their agreement:

(i) the nature, location, and scope of ESI to be preserved by the parties;

(ii) the formats for production of ESI (whether TIFF with a companion text file, native, or some other reasonably usable format);

(iii) methodologies for identifying relevant and discoverable ESI for production, including:

(a) methods for identifying an initial subset of sources of ESI that are most likely to contain the relevant and discoverable information as well as methodologies for culling the relevant and discoverable ESI from that initial subset;

(b) identifying the custodians and non-custodial data sources, including all third party data sources, most likely to have discoverable information;

(c) any plans to filter data based on file type, date ranges, sender, receiver, custodian, search terms, or other similar parameters; and

(d) the use of any computer- or technology-assisted review, including any plans to use keyword searching, mathematical or thesaurus based topic or concept clustering, or other advanced culling technologies.

iv) whether ESI stored in a database or a database management system can be identified and produced by querying the database for discoverable information, resulting in a report or a reasonably usable and exportable electronic file for review by the requesting counsel or party.

(2) The attorneys for each party shall review and understand how their client's data and ESI are stored and retrieved before the Rule 26(f) conference and before any meet and confer discussions related to the production of ESI in order to determine what issues must be addressed during those discussions. To satisfy this requirement, the attorney may choose to include in the Rule 26(f) conference and/or meet and confer discussion a paralegal, information technology specialist, or other person with knowledge about how the client's data and ESI are stored and retrieved.

(3) Any motion for a protective order or motion to compel related to the production of ESI must include the certification set forth in LCR 26(c) or 37(a)(1), state that the parties agreed to an ESI Agreement and attach that ESI Agreement, or state that the parties met and conferred regarding the topics set forth in LCR 26(f)(1)(I) to the extent they are applicable.

(4) In the scheduling order or by separate order, the court may require the parties to adhere to an agreement for the discovery and disclosure of electronically stored information.

(5) If the court determines that any counsel or party in a case has failed to cooperate and participate in good faith in the discovery planning process, the court may require additional discussions prior to the commencement of discovery, and may impose sanctions, if appropriate.

(6) Generally, the costs of discovery shall be borne by each party. However, on motion or on its own, the court may apportion the costs of discovery related to ESI upon a determination of good cause, considering the factors in Fed. R. Civ. P. 26(b)(2)(C) and the parties' failure to agree to the Model ESI Agreement, a modified version or other similar agreement.

(g) Reserved

LCR 65

TEMPORARY RESTRAINING ORDERS

(a) Reserved

(b) Temporary Restraining Order

(1) *Issuance Without Notice Disfavored:* Motions for temporary restraining orders without notice to and an opportunity to be heard by the adverse party are disfavored and will rarely be granted. Unless the requirements of Fed. R. Civ. P. 65(b) for issuance without notice are satisfied, the moving party must serve all motion papers on the opposing party before or contemporaneously with the filing of the motion and include a certificate of service with the motion. The motion must also include contact information for the opposing party's counsel or for an unrepresented party.

(2) *Length of Motion; Noting Date*: The motion must not exceed twenty-four pages in length and may be noted for the same day it is filed.

(3) *Procedure:* Counsel must file emergency motions electronically unless the case is sealed in its entirety. Pro se parties who choose not to file electronically should, if possible, bring their emergency motions to the court during normal business hours to avoid the delay of mailing. After the motion is filed, the filer must promptly call the Clerk's Office at (206) 370-8400 (Seattle) or (253) 882-3800 (Tacoma) to advise the court that it has filed an emergency motion. The clerk will promptly assign a judge and advise his or her chambers of the emergency nature of the filing. The court may consider the motion on the papers or schedule a hearing.

(4) *Proposed Order:* A motion for a temporary restraining order must include a proposed order specifically setting forth the relief requested and describing in reasonable detail the act or acts to be restrained or required.

(5) *Response:* Unless the court orders otherwise, the adverse party must (1) file a notice indicating whether it plans to oppose the motion within twenty-four hours after service of the motion, and (2) file its response, if any, within forty-eight hours after the motion is served. The response may not exceed twenty-four pages in length, and no reply will be permitted. If the movant meets the requirements of Fed. R. Civ. P. 65(b), the court may grant the motion without awaiting a response.

(6) *Courtesy Copy:* If the motion or response is filed electronically and, together with any supporting documents, it exceeds 50 pages in length, the filing party must deliver a courtesy copy to the Clerk's Office for chambers on the same day the motion is filed. Local Civil Rule 10 contains additional requirements regarding courtesy copies.

LCR 65.1

BONDS

(a) Qualifications of Surety--Monetary Deposit

Every bond must be secured by either:

(1) a monetary deposit equal to the amount of the bond, or

(2) a corporation authorized by the Secretary of the Treasury of the United States to act as surety on official bonds under 31 U.S.C. §§ 9301-9306, which corporation shall have on file with the clerk one of the following:

(i) proof that the corporation is incorporated in Washington,

(ii) a certified copy of the power of attorney appointing a resident agent for service of process in this district, or

(iii) proof that the corporation has a resident agent who is an official of the State of Washington authorized or appointed under Washington law to receive service of process on the corporation.

(b) Bail Reform Act

In criminal cases where conditions of release have been set under the bail reform act, a bond with sureties other than as set out in paragraph (a) of this rule may be approved by a judicial officer.

(c) Court Officers as Sureties

No clerk, marshal, member of the bar, or other officer of this court will be accepted as surety on any bond or other undertaking in any action or proceeding in this court. Monetary deposits on bonds may be made by members of the bar on oral certification that the funds are the property of a specified person who has signed as surety on the bond. Upon voiding of the bond, such moneys shall be returned to the surety alone and not to the attorney.

LCR 67

REGISTRY FUNDS

(a) Deposit into Court Registry and Investment of Registry Funds

All deposits into the Registry of the Court must be accompanied by a court order permitting the deposit.

Funds deposited in the Registry of the Court will be invested in an interest-bearing account in accordance with the guidelines set up by the Administrative Office of the Court and approved by the court.

The clerk is directed to deduct from the income earned on the investment a fee as proscribed by the Judicial Conference of the United States and set by the Director of the Administrative Office of the Court.

(b) Disbursement of Registry Funds

All motions for disbursement of registry funds shall specify the principal sum initially deposited, the amount(s) of principal funds to be disbursed and to whom the disbursement is to be made.

Each proposed order shall contain the following language: "... the clerk is authorized and directed to draw a check(s) on the funds deposited in the registry of this court in the principal amount of $_____ plus all accrued interest, minus any statutory users fees, payable to (name of payee) and mail or deliver the check(s) to (name of payee)." If more than one check is to be issued pursuant to a single order, the portion of principal and interest due each payee must be separately stated.

The court requires the mailing address(es), Social Security number(s) or Tax ID(s) of the disbursement recipients be provided to the Clerk and shall not be filed in the record.

LCR 100

PETITIONS FOR HABEAS CORPUS AND MOTIONS PURSUANT TO TITLE 28 U.S.C. § 2255

(a) Form and Content

Motions filed pursuant to 28 U.S.C. § 2255 must use or substantially follow this district's form, which is available on the court's website. Upon request, the clerk shall provide blank copies of forms prescribed by this court for petitions for writs of habeas corpus and motions filed pursuant to 28 U.S.C. § 2255. The petitioner shall provide all information required by the form.

(b) In Forma Pauperis

See LCR 3.

(c) Place of Filing

See LCR 3.

(d) Filing the Petition

Petitioners shall send to the clerk an original completed petition or motion form for filing.

(e) Verification

If a petition or motion is not made and verified by the party in custody, the person making such petition or motion shall verify the same on behalf of such party in custody, and shall set forth therein the reason why it is not made and verified by the party in custody, and shall state he or she knows the facts set forth therein, or if upon information and belief, the sources of his or her information shall be stated.