

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.

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1 CR 23

2 CLASS ACTIONS

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

5 CR 40

6 ASSIGNMENT OF CASES FOR TRIAL

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

9 (a) Orders by Court

10 The court may make such orders as may facilitate the  
11 prompt and just disposition of any action. If an action is  
12 at issue the court may order a pretrial conference under Rule  
13 16 of the Federal Rules of Civil Procedure, or may order it  
14 set down for final disposition on a specified date, or may  
15 place it on a calendar for trial or hearing in due course.

16 (b) Responsibility of Attorney ~~[Ta-Next-Ready-Case]~~

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

25 CR 79

26 BOOKS AND RECORDS KEPT BY THE  
27 CLERK AND ENTRIES THEREIN

28 Section (g) Custody and Disposition of Exhibits shall be  
29 deleted in its entirety and the following substituted there-  
30 for:

31 (g) Custody and Disposition of Exhibits, Depositions

1 and Transcripts.

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

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

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

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

30 These amendments shall become effective immediately

31 ORDER  
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1 upon the filing of this order.

2 DATED this 13th day of October, 1982.

3  
4 *Walter T. McEwen*  
5 CHIEF UNITED STATES DISTRICT JUDGE

6  
7 *James S. [unclear]*  
8 UNITED STATES DISTRICT JUDGE

9  
10 *John E. [unclear]*  
11 UNITED STATES DISTRICT JUDGE

12  
13 *Barbara [unclear]*  
14 UNITED STATES DISTRICT JUDGE

15  
16  
17 *W. C. [unclear]*  
18 UNITED STATES DISTRICT JUDGE