

OCT 4- 1956

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

MILKARD P. THOMAS, Clerk

William C. B. # 210
Deputy

O R D E R

pg. 33-A to C.

In the Matter of)
Local Rules of Court)

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.

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

9 5. Rule 20 is abolished.

10 6. Rule 22. In paragraph (b) thereof, strike "(to
11 20 days)" from the first line thereof and at the end of the
12 third line, add "or specially".

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

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

19 "As to some other situations concerning the particu
20 Division in which actions should be filed, see Secs. 1391,
21 1392 and 1393, Title 28 U.S.C."

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

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

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

1 in the following order as to words and sentences:

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

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

8 8. Rule 37. As to the second paragraph or sub-par
9 graph (a), strike from the 3rd, 4th and 5th lines thereof t
10 following words and semi-colon: "Cases of each class excep
11 criminal cases shall be arranged in such class according to
12 the dates of their requests for trial; and". Capitalize th

13 letter "I" in the first word "in" in the 5th line of such
14 second paragraph. *Eliminate the paragraphic form of the words, given
punctuation, symbols and sentences following it
word "to-wit" in sub-paragraph (a).*

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

24 and this
25 9. Rule 43. Strike all of the words in the second
26 sentences appearing in the 4th, 5th, 6th and ^{7th} lines, and strike
27 the last sentence in that Rule 43.

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

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

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

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

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

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

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

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

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

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

2 1. Rule 13. After the comma following the word
3 "court" at the end of the third sentence in the second para-
4 graph, insert the words "nor in the case of claimants in
5 limitation of liability proceedings or food and drug cases"
6 followed by a comma.

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

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

13 "This Court's Prize Rules and Standing Interrogatories
14 are omitted from this publication of these "Local Admiralty
15 Rules, W. D. Wash." because they are not used enough to
16 justify the cost of printing them."
17

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

19 1. Rule 6(f) is abolished.

20 2. Rules 11, 12 and 13 are abolished.

21
22 Dated this 4th day of October, 1956.

23
24 John C. Bowen
United States District Judge

25
26 William J. Lindberg
United States District Judge

27
28 Keith Bead
United States District Judge
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