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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA, et al.,

11 Plaintiffs,

12 v.

13 STATE OF WASHINGTON, et al.,

14 Defendants.

CASE NO. CV 70-9213

SUPPLEMENTAL ORDER ON
PARAGRAPH 25 PROCEDURES

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17 The Court hereby establishes the following procedures for filing a new Request for
18 Determination, and for additional filings in existing subproceedings, using the Court's electronic filing
19 system (CM/ECF):

20 (1) Any party wishing to file a new Request for Determination shall, after complying with the
21 pre-filing requirements of Paragraph 25 of the Permanent Injunction, as modified August 11, 1993, shall
22 file an *ex parte* motion for leave to open a new subproceeding. The motion shall be filed in the main
23 case of *U.S. v. Washington*, C70-9213, and shall be noted for consideration the same day as filed,
24 pursuant to Local Rule CR 7. The motion shall clearly designate who shall be the requesting and
25 responding or affected parties, and shall contain a certification that pre-filing meet and confer
26 requirements of Paragraph 25(b) have been met. No legal argument or other documentation is

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28 SUPPLEMENTAL ORDER ON PARAGRAPH
25 PROCEDURES- 1

1 necessary. The requesting party shall also e-mail a proposed Order to the Order box at
2 MartinezOrders@wawd.uscourts.gov. The proposed Request for Determination shall be attached as an
3 exhibit to the motion and filed under the same docket number, not filed as a separate docket entry.

4 (2) The Court shall consider the motion as soon as practicable and shall liberally grant such
5 motions, provided the Request for Determination appears to fit within the purposes set forth at
6 Paragraph 25(a) of the Permanent Injunction. C70-9213, Dkt. # 13599. The Order granting the motion
7 for leave to file shall not constitute a final determination that the dispute is within the Court's
8 jurisdiction under Paragraph 25, and such jurisdiction may still be questioned by the responding party.

9 (3) Upon granting the motion for leave to file a Request for Determination, the Court shall direct
10 the Clerk to open a new subproceeding and assign the next number in sequence. Notice of the new
11 subproceeding shall be sent electronically to all parties in C70-9213.

12 (4) All subsequent filings in the subproceeding shall be filed in the main case, C70-9213RSM,
13 and then "spread" to the appropriate subproceeding using the utilities provided in CM/ECF. Choosing
14 "yes" to the "spread effects" question will note motions and perform other functions, and generally
15 should be affirmatively selected. A party who has questions regarding this procedure may call the Case
16 Administrator, Consuelo Ledesma, at **206-370-8455** for assistance. **A document which has been filed**
17 **only in C70-9213 and has not been spread to the correct subproceeding may be regarded as not**
18 **having been properly filed.**

19 (5) Declarations and other documents filed in support of a motion should reference the motion by
20 docket number (from C70-9213) in the text entered on the docket sheet.

21 (6) Parties to *U.S. v. Washington* who are not named as requesting or responding parties, but who
22 wish to participate in the subproceeding, may file a Notice of Appearance as an Interested Party, and
23 will be entered as such on the docket by the Clerk.

24 (7) Corporate disclosure statements, where appropriate, shall be filed in accordance with
25 Fed.R.Civ.P. 7.1 and shall be filed in both the main case, C70-9213, and in the subproceeding.

26 (8) The Court directs all parties to use care in filing documents in new and in existing
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1 subproceedings, to ensure that the documents are filed only in the appropriate subproceeding. The
2 erroneous filing of unrelated documents in the wrong subproceedings has unnecessarily complicated the
3 dockets of a number of subproceedings. A document may be spread to all subproceedings **only** if it
4 relates to all subproceedings, such as a Notice of Unavailability or other filing which applies to all
5 subproceedings. Otherwise, the filing party shall select only the relevant subproceeding when
6 spreading the document from C70-9213 to the subproceeding.

7 (9) These procedures do not alter or amend the substantive requirements of Paragraph 25, as
8 amended August 11, 1993, and are intended only to facilitate the process of opening new
9 subproceedings, and maintaining existing subproceedings, using CM/ECF.

10 Dated this 9 day of November 2011.

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12 RICARDO S. MARTINEZ
13 UNITED STATES DISTRICT JUDGE