

**FBA WDWA Local Rules Committee**  
**Chart of Proposed Changes to Local Civil Rules**  
**December 2022**

LCR 7(e)	Length of Motions and Briefs  <i>Other related changes.</i> LCR 7(f)(2); LCR 7(g)(3); LCR 7(h)(3); LCR 37(a)(2)(D & E); LCR 39.1(c)(5)(C); LCR 56.1; LCR 65(b)(2); LCR 65(b)(5); LCR 72; LCR 72(a); LCR 88(c)(2).
LCR 10(e)(9)	Courtesy Copies  <i>Other related changes.</i> LCR 5(g)(9) and LCR 65(b)(6)
LCR 43(h)	Taking Testimony; Marking Exhibits (to address ADA issues)
ESI Agreement	Introduction, disclosure of custodians, search terms; and Fed. R. Evid. 502(d)
Protective Order	Address the same Fed. R. Evid. 502(d) language as in ESI Agreement

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<b>Local Civil Rule 7</b>	
<b>FORM AND SCHEDULING OF MOTIONS</b>	
LCR 7	Proposed Revision
<p><b>(e) Length of Motions and Briefs</b></p> <p>Except as otherwise provided by court order or rule, the length of motions and briefs shall be as follows:</p> <p>(1) Motions noted under LCR 7(d)(1), except motions for temporary restraining orders, shall not exceed six pages.</p> <p>(2) Motions noted under LCR 7(d)(2) and briefs in opposition shall not exceed twelve pages. Reply briefs shall not exceed six pages.</p> <p>(3) Motions for summary judgment, motions to dismiss, motions for class certification, motions for a temporary restraining order, motions for preliminary injunction, and motions aimed at changing the forum (e.g., motions to remand, transfer, or compel arbitration) and briefs in opposition shall not exceed twenty-four pages. Reply briefs shall not exceed twelve pages.</p> <p>Absent leave of the court, a party must not file contemporaneous dispositive motions, each one directed toward a discrete issue or claim.</p>	<p><b>(e) Length of Motions and Briefs</b></p> <p>Except as otherwise provided by court order or rule, the length of motions and briefs shall be as follows:</p> <p>(1) Motions noted under LCR 7(d)(1), except motions for temporary restraining orders, shall not exceed <u>2,100 words or, if written by hand or with a typewriter</u>, six pages.</p> <p>(2) Motions noted under LCR 7(d)(2) and briefs in opposition shall not exceed <u>4,200 words or, if written by hand or with a typewriter</u>, twelve pages. Reply briefs shall not exceed <u>2,100 words or, if written by hand or with a typewriter</u>, six pages.</p> <p>(3) Motions for summary judgment, motions to dismiss, motions for class certification, motions for a temporary restraining order, motions for preliminary injunction, and motions aimed at changing the forum (e.g., motions to remand, transfer, or compel arbitration) and briefs in opposition shall not exceed <u>8,400 words or, if written by hand or with a typewriter</u>, twenty-four pages. Reply briefs shall</p>

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<b>Local Civil Rule 7 FORM AND SCHEDULING OF MOTIONS</b>	
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<p>(4) All other motions noted under LCR 7(d)(3) and briefs in opposition shall not exceed twelve pages. Reply briefs shall not exceed six pages.</p> <p>(5) Any motion in limine noted under LCR 7(d)(4) and any brief in opposition shall not exceed eighteen pages.</p> <p>(6) The court may refuse to consider any text, including footnotes, which is not included within the page limits. Captions, tables of contents, tables of authorities, signature blocks, and certificates of service need not be included within the page limit.</p>	<p>not exceed <u>4,200 words or, if written by hand or with a typewriter,</u> twelve pages.</p> <p>Absent leave of the court, a party must not file contemporaneous dispositive motions, each one directed toward a discrete issue or claim.</p> <p>(4) All other motions noted under LCR 7(d)(3) and briefs in opposition shall not exceed <u>4,200 words or, if written by hand or with a typewriter,</u> twelve pages. Reply briefs shall not exceed <u>2,100 words or, if written by hand or with a typewriter,</u> six pages.</p> <p>(5) Any motion in limine noted under LCR 7(d)(4) and any brief in opposition shall not exceed <u>6,300 words or, if written by hand or with a typewriter,</u> eighteen pages.</p> <p>(6) The court may refuse to consider any text, including footnotes, which is not included within the <u>word or</u> page limits. Captions, tables of contents, tables of authorities, signature blocks, and certificates of service need not be included within the <u>word or</u> page limit. <u>When word limits apply, the signature block shall include the certification of the signer as to the number of words, substantially as follows: “I certify that this memorandum contains ___ words,</u></p>

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	<u>in compliance with the Local Civil Rules.” Counsel may rely on the word count of a word-processing system used to prepare the brief.</u>
<p><b>(f) Motions to File Over-length Motions or Briefs</b></p> <p>Motions seeking approval to file an over-length motion or brief are disfavored but may be filed subject to the following:</p> <ol style="list-style-type: none"> <li>(1) The motion shall be filed as soon as possible but no later than three days before the underlying motion or brief is due, and shall be noted for consideration for the day on which it is filed, pursuant to LCR 7(d)(1).</li> <li>(2) The motion shall be no more than two pages in length and shall request a specific number of additional pages.</li> <li>(3) No opposition to the motion shall be filed unless requested by the court.</li> <li>(4) If the court grants leave to file an over-length motion, the brief in opposition will automatically be allowed an equal number of additional pages. In all</li> </ol>	<p><b>(f) Motions to File Over-length Motions or Briefs</b></p> <p>Motions seeking approval to file an over-length motion or brief are disfavored but may be filed subject to the following:</p> <ol style="list-style-type: none"> <li>(1) The motion shall be filed as soon as possible but no later than three days before the underlying motion or brief is due, and shall be noted for consideration for the day on which it is filed, pursuant to LCR 7(d)(1).</li> <li>(2) The motion shall be no more than <u>700 words or, if written by hand or with a typewriter,</u> two pages in length and shall request a specific number of additional <u>words or</u> pages.</li> <li>(3) No opposition to the motion shall be filed unless requested by the court.</li> <li>(4) If the court grants leave to file an over-length motion, the brief in opposition will automatically be allowed an equal number of additional pages. In all</li> </ol>

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cases, the reply brief shall not exceed one-half the total length of the brief filed in opposition.	cases, the reply brief shall not exceed one-half the total length of the brief filed in opposition.
<p><b>(g) Requests to Strike Material Contained in Motion or Briefs; Surreply</b></p> <p>Requests to strike material contained in or attached to submissions of opposing parties shall not be presented in a separate motion to strike, but shall instead be included in the responsive brief, and will be considered with the underlying motion. The single exception to this rule is for requests to strike material contained in or attached to a reply brief, in which case the opposing party may file a surreply requesting that the court strike the material, subject to the following:</p> <ol style="list-style-type: none"> <li>(1) That party must file a notice of intent to file a surreply as soon after receiving the reply brief as practicable.</li> <li>(2) The surreply must be filed within five days of the filing of the reply brief, and shall be strictly limited to addressing the request to strike. Extraneous argument or a surreply filed for any other reason will not be considered.</li> </ol>	<p><b>(g) Requests to Strike Material Contained in Motion or Briefs; Surreply</b></p> <p>Requests to strike material contained in or attached to submissions of opposing parties shall not be presented in a separate motion to strike, but shall instead be included in the responsive brief, and will be considered with the underlying motion. The single exception to this rule is for requests to strike material contained in or attached to a reply brief, in which case the opposing party may file a surreply requesting that the court strike the material, subject to the following:</p> <ol style="list-style-type: none"> <li>(1) That party must file a notice of intent to file a surreply as soon after receiving the reply brief as practicable.</li> <li>(2) The surreply must be filed within five days of the filing of the reply brief, and shall be strictly limited to addressing the request to strike. Extraneous argument or a surreply filed for any other reason will not be considered.</li> </ol>

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<b>Local Civil Rule 7</b>	
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<p>(3) The surreply shall not exceed three pages.</p> <p>(4) No response shall be filed unless requested by the court.</p> <p>(5) This rule does not limit a party’s ability to file a motion to strike otherwise permitted by the Federal Rules of Civil Procedure, including Fed. R. Civ. P. 12(f) motions to strike material in pleadings. The term “pleadings” is defined in Fed. R. Civ. P. 7(a).</p>	<p>(3) The surreply shall not exceed <u>1,050 words or, if written by hand or typewriter</u>, three pages.</p> <p>(4) No response shall be filed unless requested by the court.</p> <p>(5) This rule does not limit a party’s ability to file a motion to strike otherwise permitted by the Federal Rules of Civil Procedure, including Fed. R. Civ. P. 12(f) motions to strike material in pleadings. The term “pleadings” is defined in Fed. R. Civ. P. 7(a).</p>
<p><b>(h) Motions for Reconsideration</b></p> <p>(1) <i>Standard.</i> Motions for reconsideration are disfavored. The court will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to its attention earlier with reasonable diligence.</p> <p>(2) <i>Procedure and Timing.</i> A motion for reconsideration shall be plainly labeled as such. The motion shall be filed within fourteen days after the order to which it relates is filed. The motion shall be</p>	<p><b>(h) Motions for Reconsideration</b></p> <p>(1) <i>Standard.</i> Motions for reconsideration are disfavored. The court will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to its attention earlier with reasonable diligence.</p> <p>(2) <i>Procedure and Timing.</i> A motion for reconsideration shall be plainly labeled as such. The motion shall be filed within fourteen days after the order to which it relates is filed. The motion shall be</p>

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LCR 7	Proposed Revision
<p>noted for consideration for the day it is filed. The motion shall point out with specificity the matters which the movant believes were overlooked or misapprehended by the court, any new matters being brought to the court’s attention for the first time, and the particular modifications being sought in the court’s prior ruling. Failure to comply with this subsection may be grounds for denial of the motion. The pendency of a motion for reconsideration shall not stay discovery or any other procedure.</p> <p>(3) <i>Response.</i> No response to a motion for reconsideration shall be filed unless requested by the court. No motion for reconsideration will be granted without such a request. The request will set a time when the response is due, and may limit briefing to particular issues or points raised by the motion, may authorize a reply, and may prescribe page limitations.</p>	<p>noted for consideration for the day it is filed. The motion shall point out with specificity the matters which the movant believes were overlooked or misapprehended by the court, any new matters being brought to the court’s attention for the first time, and the particular modifications being sought in the court’s prior ruling. Failure to comply with this subsection may be grounds for denial of the motion. The pendency of a motion for reconsideration shall not stay discovery or any other procedure.</p> <p>(3) <i>Response.</i> No response to a motion for reconsideration shall be filed unless requested by the court. No motion for reconsideration will be granted without such a request. The request will set a time when the response is due, and may limit briefing to particular issues or points raised by the motion, may authorize a reply, and may prescribe <u>word or, if written by hand or typewriter,</u> page limitations.</p>

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<b>Local Civil Rule 37</b>	
<b>FAILURE TO MAKE DISCLOSURE OR COOPERATE IN DISCOVERY; SANCTIONS</b>	
LCR 37(a)(2)(D) and (E)	Proposed Revision
<p><b>(a) Motion for Order Compelling Disclosure or Discovery</b></p> <p>(2) <i>Expedited Joint Motion Procedure.</i> A motion for an order compelling disclosure or discovery may be filed and noted in the manner prescribed in LCR 7(d)(3). Alternatively, the parties may, by agreement, utilize the expedited procedure set forth in this subsection. If the parties utilize this procedure, the motion may be noted for consideration for the day the motion is filed. After the parties have conferred, a party may submit any unresolved discovery dispute to the court through the following procedure:</p> <p>(D) Within four days of receipt of the LCR 37 submission from the opposing party, the moving party will either add its reply and file the joint submission with the court, or notify the opposing party that it no longer intends to move for the requested relief. The moving party’s reply, if any, in support of a disputed discovery request shall follow the opposing party’s rebuttal for such request in the joint submission and shall not exceed one half page for each reply.</p>	<p><b>(a) Motion for Order Compelling Disclosure or Discovery</b></p> <p>(2) <i>Expedited Joint Motion Procedure.</i> A motion for an order compelling disclosure or discovery may be filed and noted in the manner prescribed in LCR 7(d)(3). Alternatively, the parties may, by agreement, utilize the expedited procedure set forth in this subsection. If the parties utilize this procedure, the motion may be noted for consideration for the day the motion is filed. After the parties have conferred, a party may submit any unresolved discovery dispute to the court through the following procedure:</p> <p>(D) Within four days of receipt of the LCR 37 submission from the opposing party, the moving party will either add its reply and file the joint submission with the court, or notify the opposing party that it no longer intends to move for the requested relief. The moving party’s reply, if any, in support of a disputed discovery request shall follow the opposing party’s rebuttal for such request in the joint submission and shall not exceed <u>175 words</u></p>



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<b>Local Civil Rule 37</b>	
<b>FAILURE TO MAKE DISCLOSURE OR COOPERATE IN DISCOVERY; SANCTIONS</b>	
LCR 37(a)(2)(D) and (E)	Proposed Revision
<p>(E) The total text that each side may contribute to a joint LCR 37 submission shall not exceed twelve pages. This limit shall include all introductory or position statements, and statements in support of, or in opposition to, a particular request, but shall not include the discovery request itself.</p>	<p style="text-align: right;"><u>or, if written by hand or typewriter,</u> one half page for each reply.</p> <p>(E) The total text that each side may contribute to a joint LCR 37 submission shall not exceed <u>4,200 words or, in written by hand or typewriter,</u> twelve pages. This limit shall include all introductory or position statements, and statements in support of, or in opposition to, a particular request, but shall not include the discovery request itself.</p>

<b>Local Civil Rule 39.1</b>	
<b>ALTERNATIVE DISPUTE RESOLUTION</b>	
LCR 39.1(c)(5)(C)	Proposed Revision
<p>(c) Mediation</p> <p style="padding-left: 40px;">(5) <i>Mediation Procedure.</i> ***</p>	<p>(c) Mediation</p> <p style="padding-left: 40px;">(5) <i>Mediation Procedure.</i> ***</p>

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**Local Civil Rule 39.1**  
**ALTERNATIVE DISPUTE RESOLUTION**

LCR 39.1(c)(5)(C)	Proposed Revision
<p>(C) Memoranda. Each party shall provide the mediator with a memorandum presenting in concise form its contentions relative to both liability and damages. This memorandum should not exceed 10 pages in length. Copies of the memorandum must be delivered to the mediator and served upon all other parties at least seven days before the mediation conference. In addition, a party may deliver to the mediator a confidential memorandum that is not served on the other parties.</p>	<p>(C) Memoranda. Each party shall provide the mediator with a memorandum presenting in concise form its contentions relative to both liability and damages. This memorandum should not exceed <u>3,500 words or, if written by hand or typewriter</u>, 10 pages in length. Copies of the memorandum must be delivered to the mediator and served upon all other parties at least seven days before the mediation conference. In addition, a party may deliver to the mediator a confidential memorandum that is not served on the other parties.</p>

**Local Civil Rule 56.1**  
**SUMMARY JUDGMENT PROCEDURE**

LCR 56.1	Proposed Revision
<p>A party filing a motion for summary judgment or a response in opposition thereto shall not separately file a statement of material facts or opposing statement of facts but shall include them within the memorandum and within any page limitations set forth in these rules.</p>	<p>A party filing a motion for summary judgment or a response in opposition thereto shall not separately file a statement of material facts or opposing statement of facts but shall include them within the memorandum and within any <u>word or, if written by hand or typewriter</u>, page limitations set forth in these rules.</p>

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<b>Local Civil Rule 65</b>	
<b>TEMPORARY RESTRAINING ORDERS</b>	
LCR 65(b)(2) and (5)	Proposed Revision
<p>(b) <b>Temporary Restraining Order</b></p> <p>(1) ***</p> <p>(2) <i>Length of Motion; Noting Date:</i> The motion must not exceed twenty-four pages in length and may be noted for the same day it is filed.</p>	<p>(b) <b>Temporary Restraining Order</b></p> <p>(1) ***</p> <p>(2) <i>Length of Motion; Noting Date:</i> The motion must not exceed <u>8,400 words or, if written by hand or typewriter</u>, twenty-four pages in length and may be noted for the same day it is filed.</p>
<p>(5) <i>Response:</i> 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.</p>	<p>(5) <i>Response:</i> 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 <u>8,400 words or, if written by hand or typewriter</u>, 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.</p>

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<b>Local Civil Rule 72</b> <b>MAGISTRATE JUDGES; PRETRIAL ORDERS</b>	
LCR 72	Proposed Revision
<p>Except as otherwise provided by court order or rule, objections to a magistrate judge’s order or recommended disposition, or any response thereto, shall not exceed twelve pages.</p> <p><b>(a) Nondispositive Matters</b></p> <p>Any objection filed pursuant to this subsection must be noted for consideration for the day it is filed. No response shall be filed unless requested by the court. The request will set a date when the response is due, and may limit briefing to particular issues or points raised by the objections, may authorize a reply, and may prescribe page limitations.</p>	<p>Except as otherwise provided by court order or rule, objections to a magistrate judge’s order or recommended disposition, or any response thereto, shall not exceed <u>4,200 words or, if written by hand or typewriter,</u> twelve pages.</p> <p><b>(a) Nondispositive Matters</b></p> <p>Any objection filed pursuant to this subsection must be noted for consideration for the day it is filed. No response shall be filed unless requested by the court. The request will set a date when the response is due, and may limit briefing to particular issues or points raised by the objections, may authorize a reply, and may prescribe <u>word or, if written by hand or typewriter,</u> page limitations.</p>

<b>Local Civil Rule 88</b> <b>BANKRUPTCY APPEALS</b>	
LCR 88(c)(2)	Proposed Revision
<p><b>(c) Rules Governing Bankruptcy Appeals</b></p> <p>(1) Practice in such bankruptcy appeals as may come before this district shall be governed by Part VIII of</p>	<p><b>(c) Rules Governing Bankruptcy Appeals</b></p> <p>(1) Practice in such bankruptcy appeals as may come before this district shall be governed by Part VIII of</p>

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<b>Local Civil Rule 88 BANKRUPTCY APPEALS</b>	
LCR 88(c)(2)	Proposed Revision
<p>the Rules of Bankruptcy Procedure, except as provided in this rule or in rules subsequently adopted by this district court.</p> <p>(2) Notwithstanding subparagraph (1), unless otherwise ordered by the court, appellant’s and appellee’s initial briefs shall not exceed thirty pages, and appellant’s reply brief shall not exceed twenty pages.</p>	<p>the Rules of Bankruptcy Procedure, except as provided in this rule or in rules subsequently adopted by this district court.</p> <p>(2) Notwithstanding subparagraph (1), unless otherwise ordered by the court, appellant’s and appellee’s initial briefs shall not exceed <u>10,500 words or, if written by hand or typewriter,</u> thirty pages, and appellant’s reply brief shall not exceed <u>7,000 words or, if written by hand or typewriter,</u> twenty pages.</p>

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<b>Local Civil Rule 10</b> <b>Courtesy Copies</b>	
LCR 10(e)(9)	Proposed Revision
<p>(9) <i>Courtesy Copies.</i> Unless otherwise ordered by the Court, 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 50–page requirement is determined by the aggregate total of pages for each filing, as defined in the court’s Electronic Filing Procedures. 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.” Further clarification on courtesy copies may be obtained by reviewing the assigned judge’s Web page and/or the Electronic Filing Procedures for Civil and Criminal cases, available at <a href="http://wawd.uscourts.gov">http://wawd.uscourts.gov</a>.</p> <p>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 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</p>	<p>(9) <i>Courtesy Copies.</i> <u>Courtesy copies are not required unless otherwise ordered by the Court. Parties should consult their assigned judge’s web page at <a href="http://www.wawd.uscourts.gov">www.wawd.uscourts.gov</a> for standing orders and guidance regarding courtesy copies.</u></p> <p><del>Unless otherwise ordered by the Court, 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 50–page requirement is determined by the aggregate total of pages for each filing, as defined in the court’s Electronic Filing Procedures. 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.” Further clarification on courtesy copies may be obtained by reviewing the assigned judge’s Web page and/or the Electronic Filing Procedures for Civil and Criminal cases, available at <a href="http://wawd.uscourts.gov">http://wawd.uscourts.gov</a>.</del></p> <p><del>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 the</del></p>

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<b>Local Civil Rule 10</b> <b>Courtesy Copies</b>	
LCR 10(e)(9)	Proposed Revision
<p>prisoner cases or of an administrative record filed pursuant to LCR 79(h).</p> <p>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.</p> <p>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 <a href="http://www.wawd.uscourts.gov">www.wawd.uscourts.gov</a> for additional guidance regarding courtesy copies.</p>	<p><del>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).</del></p> <p><del>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.</del></p> <p><del>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 <a href="http://www.wawd.uscourts.gov">www.wawd.uscourts.gov</a> for additional guidance regarding courtesy copies.</del></p>

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<b>Local Civil Rule 5</b>	
<b>SERVING AND FILING PLEADINGS AND OTHER PAPERS</b>	
LCR 5(g)(9)	Proposed Revision
<p><b>(g) Sealing and Redacting of Court Records</b></p> <p>(9) When a party files a paper copy of a sealed document, the party shall seal the document in an envelope marked with the case caption and the phrase “FILED UNDER SEAL.” This requirement applies to pro se parties and others who are exempt from mandatory electronic filing and to parties submitting courtesy copies to comply with LCR 10(e)(9).</p>	<p><b>(g) Sealing and Redacting of Court Records</b></p> <p>(9) When a party files a paper copy of a sealed document, the party shall seal the document in an envelope marked with the case caption and the phrase “FILED UNDER SEAL.” This requirement applies to pro se parties and others who are exempt from mandatory electronic filing and to parties submitting courtesy copies <del>to comply with LCR 10(e)(9).</del></p>

<b>Local Civil Rule 65</b>	
<b>TEMPORARY RESTRAINING ORDERS</b>	
LCR 65(b)(6)	Proposed Revision
<p><b>(b) Temporary Restraining Order</b></p> <p>(6) <i>Courtesy Copy:</i> 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</p>	<p><b>(b) Temporary Restraining Order</b></p> <p>(6) <i>Courtesy Copy:</i> <u>Courtesy copies are not required unless otherwise ordered by the Court. Parties should consult their assigned judge’s web page at <a href="http://www.wawd.uscourts.gov">www.wawd.uscourts.gov</a> for standing orders and guidance regarding courtesy copies.</u> <del>If the motion or response is filed electronically and, together with any supporting documents, it exceeds 50 pages in length, the</del></p>



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<b>Local Civil Rule 65</b> <b>TEMPORARY RESTRAINING ORDERS</b>	
LCR 65(b)(6)	Proposed Revision
Civil Rule 10 contains additional requirements regarding courtesy copies.	<del>filing party must deliver a courtesy copy to the Clerk's Office for chambers on the same day the motion is filed.</del> Local Civil Rule 10 contains additional requirements regarding courtesy copies.

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**Local Civil Rule 43(h)  
 TAKING TESTIMONY; MARKING EXHIBITS**

LCR 43(h)	Proposed Revision
<p><b>(h) Procedure at Trial</b></p> <p>(1) In the trial of an action the party having the affirmative of the issue shall open the cause by stating generally what the party expects to prove. The opposite party shall either then, or after the opening party has closed its evidence in chief, state generally what the party expects to prove. After all the evidence on each side is in, the party having the affirmative of the issue shall argue the cause to the court or jury, as the case may be, and shall, during such argument, state fully all of its points and refer to all of its authorities, or be precluded from a reply. The party holding the negative of the issue shall then argue its case, and the party having the affirmative shall close.</p> <p>(2) ***</p>	<p><u>(6) Counsel and pro se litigants are required to stand when addressing the Court, a witness, or the jury unless unable to do so due to a disability-related or health-related condition. Advance notice should be provided, when appropriate. See <a href="https://www.wawd.uscourts.gov/visitors/access">https://www.wawd.uscourts.gov/visitors/access</a> for information regarding accommodations.</u></p>

**FBA WDWA Local Rules Committee**  
**Chart of Proposed Changes to Local Civil Rules**  
**December 2022**

**LCR 86**  
**EFFECTIVE DATE**

<b>Local Civil Rule 86</b> <b>EFFECTIVE DATE</b>	
LCR 86	Proposed Revision
<p>These 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 rules were last revised effective January 19, 2021.</p>	<p>These 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 rules were last revised effective <del>January 19, 2021</del> <u>February 1, 2022</u>.</p>