

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

**JUDGE KYMBERLY K. EVANSON
CHAMBERS PROCEDURES FOR CIVIL CASES
UPDATED DECEMBER 11, 2023**

This order sets forth the chambers-specific procedures that apply in civil cases. These procedures supplement the Federal Rules of Civil Procedure (“FRCP”) and the Local Civil Rules (“LCR”) of this district. When the term “counsel” is used in this order, it includes lawyers as well as any party representing themselves. When the terms “party” or “parties” are used in this order, they include counsel.

I. COMMUNICATIONS WITH CHAMBERS

Parties should direct initial inquiries they have to courtroom deputy Diyana Staples at Diyana_Staples@wawd.uscourts.gov. Ex parte communications with chambers involving any matter other than checking on a decision on a motion under LCR 7(b)(5) or settlement are strongly discouraged. For any other types of inquiries, all parties must be copied on the e-mail when communicating with the courtroom deputy.

II. COURTESY COPIES

Courtesy copies are required for pleadings that in the aggregate (*i.e.*, the brief plus any declarations or exhibits) are longer than 50 pages, trial exhibits, or upon Court request. If a party believes that courtesy copies may be helpful, such as for complex graphs or images best viewed in color, the party may submit a courtesy copy to chambers for the Court’s ease of reference. The courtesy copy must be the version of the document with the header generated by CM/ECF, as this header includes important information (*i.e.*, case number, document number, page number,

date filed, etc.). Courtesy copies shall be printed double-sided. Courtesy copies should be three-hole punched, tabbed, and placed in a binder or otherwise bound.

III. CROSS-MOTIONS

The Court encourages parties filing cross-motions to agree to an alternate briefing schedule allowing for four briefs (one cross-motion, second cross-motion/opposition, opposition/reply, and reply) rather than a full six briefs (motion, opposition, and reply for each cross-motion). If the parties can reach an agreement on such a schedule and any necessary adjustments to the page/word limits, they shall submit a stipulated motion and proposed order for the Court's approval.

IV. DISCOVERY DISPUTES

As required by LCR 37(a), all discovery matters are to be resolved by agreement if possible. If agreement is not possible, prior to the filing of any discovery motions, the Court directs the parties to request a conference with the Court. *See* FRCP 16(b)(3)(B)(v). The moving party must submit a joint statement to the Court briefly identifying the issue(s) in dispute. The joint statement shall be no more than three pages and shall be filed via CM/ECF. Thereafter, the moving party should contact courtroom deputy Diyana Staples at Diyana_Staples@wawd.uscourts.gov to schedule a conference.

V. IN CAMERA REVIEW

If the Court orders a party to submit documents for *in camera* review, the party shall send an electronic copy of the documents to courtroom deputy Diyana Staples at Diyana_Staples@wawd.uscourts.gov. The party shall also deliver a physical copy of the documents to chambers, clearly marked for *in camera* review to avoid inadvertent filing on the docket.

VI. SCHEDULING TEMPLATE

To aid the parties in drafting requests for schedule continuances, the Court’s preferences regarding case scheduling are listed here. Please note the Court requires approximately 120 days between the deadline for filing dispositive motions and the trial date. Stipulated motions proposing a schedule that does not comply with this requirement will be denied.

Event	Date
JURY TRIAL SET FOR 9:00 a.m. on	Trial Date
Length of trial	___ days
Deadline for joining additional parties	28 days from today
Deadline for filing amended pleadings	56 days from today
Disclosure of expert testimony under FRCP 26(a)(2) due	TR – 7 mos
All motions related to discovery must be filed by	TR – 6 mos
Discovery must be completed by	TR – 5 mos
All dispositive motions and motions challenging expert witness testimony must be filed by this date (<i>see</i> LCR 7(d)). Such motions must be noted for consideration no later than the fourth Friday thereafter (<i>see</i> LCR 7(d)).	TR – 4 mos
Settlement conference, if mediation has been requested by the parties per LCR 39.1, held no later than	TR – 2 mos
All motions in limine must be filed by	TR – 35 days
Proposed jury instructions and agreed LCR 16.1 Pretrial Order due, including exhibit list with completed authenticity, admissibility, and objections fields	TR – 21 days
Trial briefs, proposed voir dire questions, and deposition designations due	TR – 14 days
Pretrial conference scheduled at 10:00 a.m. on	TR – 10 days

