

January 14, 2011

**U.S. DISTRICT COURT FOR THE DISTRICT OF UTAH
JUDGES EFILING INFORMATION & REMINDERS**

- **Consensus of Judges**- Attorneys are not providing word-processing orders to chambers by email. They should do so! E-mail all proposed orders in Word or Word Perfect to chambers. Email addresses are on our website under Judges>E-mail Addresses. Make sure the case number and/or case name are in the subject line when emailing proposed orders. Also, attach a PDF copy of the proposed order to the motion.
- **E-mail proposed scheduling orders** to Senior Judge Bruce S. Jenkins and Senior Judge David Sam or to ipt@utd.uscourts.gov for all other district judges.
- **Judge Ted Stewart** - Calendaring is full so chambers does not give dates for motion hearings until the motion is filed
- **Judge Clark Waddoups** - Requires a hard copy of all dispositive motions, provided at least two weeks in advance of the scheduled hearing
- **Judge Clark Waddoups** - Hearings are generally not scheduled until all briefing on a matter has been completed. Then, cases are typically scheduled in the order that briefing is completed
- **Judge Dale A. Kimball** - Requires hard copies of all dispositive motions/memoranda with exhibits exceeding 10 pages, ideally in a three-ring binder, with the exhibits tabbed
- **Judge Dale A. Kimball** - Do not submit courtesy copies held together with a rubber band. Fasten the document as necessary and include tabs for each exhibit
- **Judge Dale A. Kimball** - There seems to be a misunderstanding about what types of proposed orders should be attached to a motion. Refer to Section II(G) of the Administrative Procedures
- **Judge Dale A. Kimball** - Pleadings are mis-labeled. The most re-current mistake seems to be calling a "motion" a "request" or "notice". Because these don't appear on the pending motions report, they can easily fall through the cracks if the attorney is asking the court to do something
- **Judge Tena Campbell** - The attorneys shall provide courtesy hard copies to chambers when their dispositive motions and memoranda are initially filed, but chambers does not require a binder of dispositive motions and supporting documentation the day before the scheduled hearing

- **Judge David Nuffer** - Make sure to link documents appropriately ie a memorandum in support, affidavits, declarations, exhibits, etc to the underlying motion
- **Judge David Nuffer** is not necessarily the “referred magistrate judge” on a case. Attorneys often add his name to the caption when the case is not referred to him, where he only handled the initial scheduling matters
- **Judge David Nuffer** - Attorneys are not properly adding to the docket text to reflect the document being filed or not being specific enough within the docket text. Make sure to title documents concisely and clearly
- **Judge David Nuffer** - Know the difference between a 636(b)(1)(A) and a 636(b)(1)(B) referral.
 - ◆ Route proposed orders correctly either to the District Judges or Magistrate Judges depending on the reference of the case.
 - ◆ An “A” referral allows the Magistrate Judges to consider all NON-DISPOSITIVE Motions ie Motions to Compel, for Protective Order, to Amend (if NOT related to a dispositive motion, etc.)
 - ◆ A “B” referral allows the Magistrate Judge to consider dispositive motions and create a Report and Recommendation on Dispositive Motions ie: Motions to Dismiss, Motions for Summary Judgment, Motion for Judgment on the Pleadings, etc.
 - ◆ Ancillary motions such as Motion for Extension of Time and Leave to File Overlength Memoranda will be decided by the judge who is considering the motion to which the ancillary motion pertains. That is, a motion to file an overlength summary judgment memorandum will be decided by the district judge in an A referral case and by the magistrate judges in a B referral case
- **Judge Brooke C. Wells** - Requires hard copies of all dispositive motions/memoranda with exhibits exceeding 10 pages, preferably in a three-ring binder, with exhibits tabbed and a table of contents. Hard copies are to be delivered to chambers directly at least twenty (20) days before the scheduled hearing
- **Judge Brooke C. Wells** - parties should submit proposed findings and orders to chambers via email. This should be done for all motions including those that are not ruled on during a hearing