

Redline of Changes to Central District Local Rules
Effective December 1, 2021

CHAPTER I
LOCAL CIVIL RULES

L.R. 4-5 Summons – Service of Process Directed to Foreign Countries or to Persons or Entities Within Them. Any party requesting that the Clerk of Court mail a summons, complaint, or other documents under F.R.Civ.P. 4(f)(2)(C)(ii) or comparable statute or rule must file such request in the docket of the case in which service is sought. The request must identify the federal rule, statute, or other authority that authorizes the Clerk to effect service by mail and must include a declaration demonstrating that the filer has determined that service by mail is not prohibited by the law of the foreign country. The request must be electronically filed unless the filer is exempt under L.R. 5-4.2(a). An additional copy of the request must be brought or mailed to the Clerk's Office together with copies of the documents to be served, in a form proper for service under the applicable rule or statute, with a postage-paid envelope addressed to the person or entity upon whom service is sought, return receipt requested. After mailing the documents, the Clerk must file proof of mailing in the docket of the case; if the signed receipt is returned by the postal service to the Clerk's Office, the Clerk must file the returned receipt in the docket of the case as well. The mailing of documents by the Clerk under this rule does not constitute a judicial determination that service by mail is authorized, appropriate, or effective.

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L.R. 37-2.1 Form of Joint Stipulation. The stipulation must be set forth in one document signed by both counsel. The stipulation must contain all issues in dispute and, as to each such issue, the contentions and points and authorities of each party. The stipulation may not refer the Court to any other documents. For example, if the sufficiency of an answer to an interrogatory is at issue, the stipulation must contain, verbatim, both the interrogatory and the allegedly insufficient answer, followed by each party's contentions as to that particular interrogatory, separately stated. If the allegations made in a prior filing are relevant, a copy of that prior filing should be attached as an exhibit. Exhibits to the stipulation may include declarations prepared

in conformity with L.R. 7-7. The specification of the issues in dispute, and the parties' contentions and points and authorities as to such issues, may be preceded by an introductory statement from each party, provided that no party's introductory statement may exceed three pages in length. When a party states its contentions on a particular issue, such party must also state how it proposed to resolve the dispute over that issue at the conference of counsel.

Although the stipulation should present the disputed issues as concisely as the subject matter permits, the page limitation established by L.R. 11-6 does not apply to stipulations regarding discovery disputes. Any stipulation exceeding ten pages in length, excluding exhibits, must be accompanied by an indexed table of contents setting forth the headings or subheadings contained in the body thereof but need not be accompanied by a table of authorities.

The title page of the stipulation must state the date and time of the motion hearing, the discovery cutoff date, the pretrial-conference date, and the trial date. In addition, a copy of the order establishing the initial case schedule, as well as any amendments, must be attached to the stipulation or to a declaration filed in support of the motion.

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L.R. 65-1 Temporary Restraining Orders and Preliminary Injunctions. A party seeking a temporary restraining order ("TRO") must submit an application, a proposed TRO, a declaration setting forth the facts and certification required by F.R.Civ.P. 65(b)(1)(A) and (B), and a proposed order to show cause why a preliminary injunction should not issue. If the TRO is denied, the Court may set the hearing on the order to show cause without regard to the twenty-eight (28) days notice of motion requirement of L.R. 6-1.

When a TRO is not sought, an application for a preliminary injunction shall must be made not by order to show cause but by notice of motion filed and served as required by L.R. 6-1 and not by order to show cause. For Proof of service of a motion for preliminary injunction must demonstrate that all adverse parties have been notified as required by, compliance with F.R.Civ.P. 65(a)(1)should be demonstrated.