

**Redline of Changes to Central District Local Rules
Proposed to Become Effective June 1, 2023**

**CHAPTER I
LOCAL CIVIL RULES**

L.R. 56-1 Documents Required From Moving Party. A party filing a notice of motion for summary judgment or partial summary judgment ~~shall must lodge file~~ a ~~proposed separate~~ “Statement of Uncontroverted Facts and Conclusions of Law.” ~~Such proposed This s~~Statement ~~shall must~~ set forth the material facts as to which the moving party contends there is no genuine dispute. Each such fact must be numbered and must be supported by pinpoint citations (including page and line numbers, if available) to evidence in the record. A party seeking summary judgment ~~shall must~~ lodge a proposed Judgment; a party seeking partial summary judgment ~~shall must~~ lodge a proposed Order.

L.R. 56-2 Statement of Genuine Disputes of Material Fact by Opposing Party. Any party who opposes ~~the a~~ motion ~~for summary judgment or partial summary judgment~~ ~~shall must~~ serve and file with the opposing papers a separate ~~document containing a concise~~ “Statement of Genuine Disputes” setting forth all material facts as to which it is contended there exists a genuine dispute necessary to be litigated. This Statement must include two columns, setting forth in the left-hand column every fact included in the moving party’s Statement of Uncontroverted Facts (in the same order, using the same numbers, and with all citations to the supporting evidence identified by the moving party) and indicating for each such fact in the right-hand column whether the opposing party contends that a genuine dispute necessary to be litigated exists as to that fact. For each disputed fact, the Statement of Genuine Disputes must provide pinpoint citations (including page and line numbers, if available) to evidence in the record that supports the claim that the fact is disputed.

L.R. 56-3 Response to Statement of Genuine Disputes of Material Fact. Any moving party who files a reply to an opposition to a motion for summary judgment or partial summary judgment must file a “Response to Statement of Genuine Disputes,” which must include every fact included in the opposing party’s Statement of Genuine Disputes (in the same order, using the same numbers, and with all citations to the supporting evidence identified by either the moving or opposing party), and, for facts disputed by the opposing party, the moving party’s response (with pinpoint citations including page and line numbers, if available, to evidence in the record) to rebut the existence of a genuine dispute. This Response

to Statement of Genuine Disputes must be in substantially the following format:

| <u>Moving Party's Uncontroverted Facts and Supporting Evidence</u> | <u>Opposing Party's Response to Cited Fact and Supporting Evidence</u> |
|--|---|
| <p><u>1. The accident occurred on June 1, 2013, at 1:30 p.m.</u></p> <p><u>Evidence: 6/3/13 Deposition of Defendant at page 5, lines 5-10; Declaration of Witness A at ¶ 3.</u></p> | <p><u>1. Undisputed.</u></p> |
| <p><u>2. The signal light was green in Defendant's direction when she entered into the intersection and immediately before Plaintiff's vehicle "ran" the red light and struck Defendant's truck.</u></p> <p><u>Evidence: 6/3/13 Deposition of Defendant at page 6, lines 7-9.</u></p> | <p><u>2. Disputed.</u></p> <p><u>Immediately before the accident, the light was green in Plaintiff's direction and Defendant ran the red light.</u></p> <p><u>Evidence: 6/8/13 Deposition of Plaintiff at page 10, lines 2-5.</u></p> |
| <p><u>2. Moving Party's Response</u></p> <p><u>On Page 10 of his deposition at lines 2-5, Plaintiff merely states that he "believes" the light was green when he drove into the intersection. Also, on page 12, in lines 7-8, he admits that he had consumed ten bottles of beer within one hour before the accident. Further, in the police report prepared at the scene by Officer Green within one half hour of the accident, Plaintiff admitted that he couldn't recall if the light was green when he entered into the intersection.</u></p> <p><u>See page 3 of Police Report No. A473501, attached as exhibit 101 to Defendant's 6/3/13 Deposition.</u></p> | |
| <p><u>3. [etc.]</u></p> | |

L.R. 56-34 Determination of Motion. In determining any motion for summary judgment or partial summary judgment, the Court may assume that the material facts as claimed and adequately supported by the moving party are admitted to exist without controversy except to the extent that such material facts are (a)

included in the “Statement of Genuine Disputes” and (b) controverted by declaration or other written evidence filed in opposition to the motion. The Court is not obligated to look any further in the record for supporting evidence other than what is actually and specifically referenced in the Statement of Uncontroverted Facts, the Statement of Genuine Disputes, and the Response to Statement of Genuine Disputes.