

## **INTERIM STANDING ORDER**

Effective December 16, 2019, and until this Court publishes its practices and procedures, counsel and *pro se* litigants shall follow this standing Order.

### **A. Communications with the Court**

Communications with the Court shall be in the form of motions (rather than letters to Chambers), accompanied by proposed orders specifying the relief requested. Counsel are not to send correspondence to Judge Haines, unless she specifically requests or approves the same.

### **B. Communications with Law Clerks and Other Staff**

Parties may communicate with law clerks concerning administrative matters, but not the merits of a case. Such inquiries include those pertaining to the status of any pending matter.

### **C. Telephone Conferences**

The Court will consider requests for attorneys and parties to participate in conferences by telephone. Attorneys and parties shall fax a request to participate by telephone to (814) 691-6001 at least two (2) days prior to the scheduled conference. Each attorney and party interested in participating by telephone shall fax such a request, or a single fax shall be sent indicating which attorneys and parties are requesting to participate by telephone. Unless the request is disapproved, the Court will not respond to the request.

Unless otherwise ordered by the Court, settlement conferences and final pretrial conferences will not be conducted over the telephone. Status conferences, initial scheduling conferences, and post-discovery status conferences may be conducted by telephone, provided the Court receives the two-day required advance notice.

When a telephone conference is permitted, counsel shall initiate the conference by calling chambers at (814) 691-6297 only after all parties are on the line.

### **D. Motions**

A motion should consist of a document setting forth, in a short and plain statement, the specific relief sought, the factual and legal grounds for the relief sought, and shall affirmatively state whether the motion has been discussed with all other parties and their position as to the relief sought. Evidentiary materials in support of, or opposition to, a motion should be plainly marked and may be attached to the motion. Counsel should furnish only the evidentiary materials that are necessary in deciding the motion.

Each and every motion shall be accompanied by a separate proposed Order of Court. The Order of Court shall include language detailing the specific relief sought, and not simply that the motion "is granted."

Parties are generally given twenty-one (21) days to file a response to a dispositive motion and fourteen (14) days to respond to a non-dispositive motion, unless otherwise ordered by the Court. Replies to a dispositive motion should be filed within seven (7)

days. No replies are permitted to non-dispositive motions except by leave of court. No sur-replies for any motion are permitted except by leave of court.

**E. Routine Motions**

For routine motions (including motions for leave to amend the pleadings, extensions of time, or continuances), counsel for movant must confer with opposing counsel to obtain consent, and state in the motion whether consent was obtained. Also, if a party seeks to continue a court proceeding, the party must include in the motion at least two (2) proposed dates/times near the original hearing date when all counsel are available. Briefs are not necessary.

**F. Rule 12 Motions**

In a civil case, if a party elects to file a Rule 12 motion, counsel for the movant shall meet and confer with opposing counsel before filing the motion to determine if any purported defects with the complaint can be cured. Any motion to dismiss must come with a certificate stating that the movant has made a good faith effort to confer with opposing counsel to determine whether the identified pleading deficiencies may be cured by amendment.

**G. Briefs**

Briefs in support of a motion shall be filed at the same time as the motion. Briefs are not required for discovery motions, motions for extensions of time, and motions for continuances. Briefs shall not exceed 25 pages, excluding tables.

With the exception of replies to the opposing party's submission under Local Rule 56.D, reply briefs and sur-replies are not to be filed without leave of Court. If permitted by the Court, replies and sur-replies are limited to 10 pages.

**H. Oral Argument**

Requests by any party for oral argument on any matter will be considered by the Court on a case-by-case basis. If counsel designates an associate or more junior attorney to argue the matter, the Court will likely allow oral argument.

**I. Discovery Disputes**

If a discovery dispute cannot be resolved after the parties have conferred in good faith, the parties should contact chambers to schedule a telephonic conference to discuss the dispute. No discovery related motions are to be filed until after the conference.