

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: GUIDELINES FOR FILING AND)
SUBMISSION OF AUDIO AND VIDEO) Misc. No. 2:21-mc-1161
CONTENT)

**ADMINISTRATIVE ORDER REGARDING SUBMISSION TO THE COURT OF
AUDIO AND/OR VIDEO CONTENT**

In this Court, electronic filing via the court's CM/ECF system is mandatory for attorneys. However, audio and video files cannot be filed using the court's CM/ECF system. Rather, in the event that a party has audio or video files to present to the Court, counsel or an unrepresented party shall submit physical copies of any audio or video files to the Court in an acceptable format and in an acceptable medium as indicated below. Each such format and medium is currently commercially available to the public and is in common use, and is a format acceptable to the National Archives as a standard format across the federal sector:

Audio Files - The Court will accept only audio files that are in an uncompressed Waveform audio format (.wav), a Motion Pictures Expert Group format (.mp3), or an Audio-Video Interleave format (.avi). No other formats are acceptable.

Video Files - The Court will accept only video files that are in an Audio-Video Interleave format (.avi), a Motion Pictures Expert Group format (.mp4), or Windows Media Video file format (.wmv). No other formats are acceptable.

All audio and video files must be playable with the latest versions of Windows Media Player or the VLC Media Player, and they must be tested and be determined to be fully functional and viewable via those media players prior to delivery to the Court. By submitting such media to the Court, the filing party is certifying to the Court that the files have been so tested and confirmed prior to delivery to the Court. Audio or video content that requires proprietary software or third party “codecs” to play and cannot be reviewed by the Court will be returned. Use of the designated audio and video file formats is necessary to ensure that the submissions can be reviewed by the Court. The Court will not convert audio or video files to an acceptable format.

If the audio or video file is presented as an exhibit in support of a motion, one (1) copy of the audio and/or video files shall be sent to the Office of the Clerk on a USB flash drive, CD, or DVD along with a placeholder document which includes the caption of the case, the case number, the party making the filing, and a pleading title, for example: “Video Exhibit 3 in support of Defendant's Motion at ECF No. 45.” The placeholder document will be date stamped and filed by the Office of the Clerk upon receipt. The filing party must also serve such placeholder document and media on each other party in any adversary proceeding.

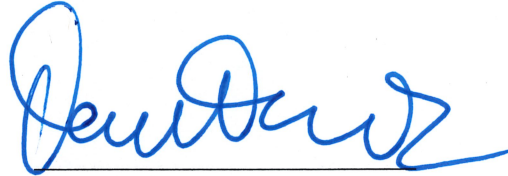
Audio or video files introduced into evidence during a proceeding or trial must be retained by the party on whose behalf it was introduced until it is determined whether an appeal has been taken from a final judgment. In the event of an appeal, audio or video files admitted into evidence must be retained by the party until disposition of the appeal. Upon request by the Court, the party may be required to produce the audio or video file.

This Order is subject to amendment or modification by further Administrative Order as may be necessary to fulfill its purposes and is applicable to all proceedings in this Court. Any Motion or other request for relief from any provision of this Order shall be directed to the Judge

who chairs the Court's Joint Information Technology Committee who shall resolve the matter by Order.

This Order is effective as of October 20, 2021.

Dated: September 20, 2021

A handwritten signature in blue ink, appearing to read "Mark R. Hornak", written over a horizontal line.

Mark R. Hornak
Chief United States District Judge