

RULE 137 (Fed. R. Civ. P. 5)

REDUCTION OF ORDERS TO WRITING - SERVICE OF ORDERS

(a) Reduction of Orders to Writing. Subject to Fed. R. Civ. P. 58 and unless the Court otherwise directs or permits, whenever the Court makes an oral order (except intermediate orders in the course of a hearing), the prevailing party shall serve upon all other parties and lodge a proposed written order embodying all provisions of the orally-announced order. Unless all counsel have approved the order as to form, counsel preparing the order shall serve it on all other parties and wait seven (7) days before lodging the proposed order. Counsel submitting a proposed order to the Court shall provide a certificate reflecting service and expiration of the seven (7) days. Counsel not preparing the order shall have seven (7) days after service of a copy of the proposed order within which to apply to the Court for correction or modification of the proposed order to reflect accurately the ruling of the Court or to submit an alternative order. If the proposed order is approved by the Court, it shall be signed and filed.

(b) Electronically-Lodged Proposed Orders. When a proposed order is electronically submitted to the Court, the person proposing the order must submit it via CM/ECF, thereby effecting service on all other parties. Except in situations in which a proposed order is contained in a stipulation, electronically-submitted proposed orders may not be combined into a motion or request. In addition to filing the proposed order electronically in .pdf format, the proposing person must also submit by email a separate proposed order in Word ~~or Word Perfect~~ format to the appropriate Judge or Magistrate Judge's email box listed on the Court's website. The email subject line must contain the words "proposed order" as well as the case number. Counsel should not include table/cell formatting in the date and signature portions of proposed orders. Use of table/cell formatting in the date and signature portions of proposed orders may cause the document(s) to be returned unsigned and/or unprocessed.

In all cases involving submission of a proposed order, simply emailing the word processing document to the Judge or Magistrate Judge's email box does **not** constitute the proper submission of that proposed order with the Court. Conversely, simply submitting a .pdf version of the proposed order via CM/ECF does **not** constitute proper submission of the proposed order. **Both** the submission of the .pdf version and the submission via email to the email box of the assigned Judge or Magistrate Judge must be accomplished.

(c) Documents Requiring Leave of Court. If filing a document requires leave of court, such as an amended complaint after the time to amend as a matter of course has expired, counsel shall attach the document proposed to be filed as an exhibit to moving papers seeking such leave and lodge a proposed order as required by these Rules. If the Court grants the motion, counsel shall file and serve the document in accordance with these Rules and the Federal Rules of Civil and Criminal Procedure.

(d) Order Processing. Orders will be generated by chambers and converted to .pdf, or generated in .pdf format in CM/ECF. The assigned Judge, Magistrate Judge, or their designee will electronically file all signed orders. Any order signed electronically has the same force and effect as if the Judge or Magistrate Judge had signed a paper copy of the order and it been entered on the docket conventionally.

(e) Routine Orders. The Court may grant routine orders by a text-only entry upon the docket. In such cases, no .pdf document will issue; the text-only entry shall constitute the Court's only order on the matter. The System will generate a "Notice of Electronic Filing" as described in these procedures for purposes of electronic service, and the Clerk will effect conventional service if required.

(f) Service. Copies of all written orders signed and filed by the Court conventionally or electronically, whether drafted by counsel or by the Court, shall be served forthwith by the Clerk on all counsel who have appeared in the action. A certificate of service by the Clerk shall accompany the order as served and shall be attached to the order as filed.