

**Rule 5. ORIGINAL FILINGS AND REMOVALS**

- (a) **Original Filings.** In all civil actions, the plaintiff must file with the clerk of court the original complaint
- (1) **Civil Cover Sheet.** A civil cover sheet (Form JS 44) must be filed with each original complaint or petition filed. A link to all national forms can be found on the courts' Websites.
  - (2) **Filing Fees.** Filing fees must be paid to the clerk of court upon filing of each original complaint or petition in accordance with the fee schedule maintained by the clerk of court.
- (b) **Removals.**
- (1) **Required Filing of Entire State Court Record.** No later than fourteen days after the docketing in the electronic filing system of a removed action, the removing party must obtain a complete copy of the record in the state court from which the action was removed and electronically file that complete copy in the electronic filing system record as a single docket item.
  - (2) **Separate Docketing of All Nonadjudicated Motions.** In addition to the filing required by L.U.CIV.R. 5(b)(1), no later than fourteen days after the docketing in the electronic filing system of a removed action, the removing party must file as separate docket items each nonadjudicated motion and supporting memoranda (with associated exhibits and any other supporting materials) from the state court record, whether denominated in the state court record as a motion or in effect a motion contained within the body of the pleading, so as to provide notice to the court that the motions remain pending for adjudication.
- (c) **Non-Filing of Pre-Discovery Disclosures and Discovery Materials**
- (1) **Pre-Discovery disclosures.** Pre-discovery disclosures of core information under L.U.CIV.R. 26.1(A) should not be filed with the clerk of court until the disclosures are used in a proceeding or the court orders that they be filed. The party serving disclosures must file a notice of service of pre-discovery disclosure of core information [Official Form No. 2(c)].
  - (2) **Depositions.** As depositions in civil actions are not filed, the court reporter will forward the original of a deposition to the party responsible for its taking; the party must retain the original and is its custodian. Immediately upon receipt of the original deposition, the party serving as custodian must file a copy of the cover sheet of the deposition and a notice

that all parties of record have been notified of its receipt by the custodian [Official Form No. 2(a)].

- (3) **Discovery.** Interrogatories under FED. R. CIV. P. 33, Requests for Production or Inspection under FED. R. CIV. P. 34, and Requests for Admission under FED. R. CIV. P. 36, must be served upon other counsel or parties, but not filed with the court. The party who served the discovery request or the response must retain the original and become the custodian and file a notice of service with the court [Official Form No. 2(b)].
- (4) **Filing for use in Relation to Motions.** If disclosures under FED. R. CIV. P. 26(a)(1) or (2), interrogatories, requests, answers, responses or depositions are necessary to a pretrial motion that might result in an order on any issue, unless already of record and referenced by citation to the docket entry(ies), the moving party must file the portions to be used as an exhibit to the motion.
- (5) **Filing for use on Appeal.** When documentation of discovery or disclosures not in the record is needed for appeal purposes, a party may apply for a court order directing or the parties may stipulate to the filing of the necessary discovery or disclosure papers.