

**Rule 7. MOTIONS AND OTHER PAPERS**

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- (b) **Motion Practice.** Any written communication with the court that is intended to be an application for relief or other action by the court must be presented by a motion in the form prescribed by this Rule.

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- (2) **Filing, Deadlines, Proposed Orders.** Any motion, response, rebuttal and supporting exhibits, including memorandum briefs in support, must be filed. All affidavits, 28 U.S.C. § 1746 declarations, and other supporting documents and exhibits, excluding the memorandum brief, must be filed as exhibits to the motion, response or rebuttal to which they relate. The memorandum brief must be filed as a separate docket item from the motion or response and the exhibits. All supporting exhibits must be denominated in the court's electronic filing system by both an exhibit letter or number *and* a meaningful description. Further, all supporting exhibits not already of record and cited in the motion, response or rebuttal by docket entry, must normally be filed under the same docket entry and denominated separately in the court's electronic filing system as exhibits to the motion, response or rebuttal to which they relate, unless doing so is not practicable, in which case supporting exhibits may be filed as separate docket item attachments, associated by the docket number of the motion, response or rebuttal to which they relate. Counsel must file a memorandum brief as a separate docket item from the motion or response to which it relates and *must not make the memorandum brief an exhibit to a motion or response*, except in the case of a motion for leave to submit **the referenced memorandum brief. If leave of court is required under Fed.R. Civ.P. 15, a proposed amended pleading must be an exhibit to a motion for leave to file such the pleading, and if the motion is granted, the movant must file the amended pleading as a separately docketed item** within seven (7) days from entry of the order granting the motion.

**Rule 15. MOTIONS FOR LEAVE TO SUBMIT AMENDED AND SUPPLEMENTAL PLEADINGS.**

If leave of court is required under Fed.R. Civ.P. 15, a proposed amended pleading must be an exhibit to a motion for leave to file ~~such~~ the pleading, and if the motion is granted, the movant must file the amended pleading as a separately docketed item within seven (7) days from entry of the order granting the motion.

**Rule 16. PRETRIAL CONFERENCES**

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**(j) Final Pretrial Conferences And Pretrial Orders**

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- (4) Duty of Counsel to Confer; Exhibits; Matters to be Considered at Conference; Sanctions.** The following provisions of this rule apply, regardless of whether the pretrial order is entered by stipulation of the parties or following a formal final pretrial conference:

....

- (B)** All exhibits are to be pre-marked, and lists briefly describing each are to be exchanged among counsel and presented to the court at the beginning of the trial, ~~in quadruplicate,~~ unless otherwise directed by the court.

**Rule 26. DISCOVERY CONTROL**

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- (d) **Limitations on Use of Discovery.** The court should limit or increase the number of depositions, interrogatories, requests for production and requests for admission to the needs of each particular case. A specific interrogatory/request and its reasonably related subpart will be counted as one interrogatory/request.

**Rule 79. SEALING OF COURT RECORDS**

- (a) Court Records Presumptively in Public Domain.** Except as otherwise provided by statute, rule, including FED. R. CIV. P. 5.2, or order, all pleadings and other materials filed with the court (“court records”) become a part of the public record of the court.
- (b) Documents Filed with the Court.** Every document used by parties moving for or opposing an adjudication by the court, other than trial or hearing exhibits, must be filed with the court. No document may be filed under seal, except upon entry of an order of the court either acting sua sponte or specifically granting a request to seal that document. Any order sealing a document must include particularized findings demonstrating that sealing is supported by clear and compelling reasons and is narrowly tailored to serve those reasons. A statute mandating or permitting the non-disclosure of a class of documents provides sufficient authority to support an order sealing documents.
- (c) Sealed Orders.** A judicial officer may seal a court order, including an order to seal documents and related findings, when sealing a court order meets the standard for sealing a document.
- (d) Stipulations, Confidentiality and Protective Orders Insufficient.** No document may be sealed merely by stipulation of the parties. A confidentiality order or protective order entered by the court to govern discovery will not qualify as an order to seal documents for purposes of this rule. Any document filed under seal in the absence of a court order to seal may be unsealed without prior notice to the parties.
- (e) Procedure for Filing Documents Under Seal or Sealing a Case.**

  - (1)** A party submitting a document or portion of a document for filing under seal under a governing statute, rule, or order must note on the face of the document that it or a portion of it is filed under seal under that statute, rule, or order (specifying the statute(s), rule(s) or order(s) relied upon). The clerk will provide public notice by stating on the docket that the document contains sealed material.
  - (2)** Any document not covered by section (e)(2) and filed with the intention of being sealed must be accompanied by a motion to seal. The clerk will provide public notice by docketing the motion in a way that discloses its nature as a motion to seal. The document and any confidential memoranda will be treated as sealed pending the outcome of the ruling on the motion. Any filing unaccompanied by a motion to seal will be treated as a public record.

(3) Any motion to seal must be accompanied by a non-confidential supporting memorandum, a notice that identifies the motion as a sealing motion, and a proposed order. A party may also submit a confidential memorandum for in camera review. The non-confidential memorandum and the proposed order must include:

(A) A non-confidential description of what is to be sealed;

(B) A specific request that the document or case:

(1) Be sealed from any access by the public and the litigants' counsel;

(2) Be sealed from public access only, with CM/ECF access permitted to the litigants' counsel; or

(3) Be sealed only from public access in CM/ECF, but available for public viewing at one or more terminals located within the Clerk's office.

(C) A statement of why sealing is necessary, why the specific character of sealing set forth in subparts (1)-(3) above is most appropriate, and why another procedure will not suffice;

(D) References to governing case law; and

(E) Unless permanent sealing is sought, a statement of the period of time the party seeks to have the matter maintained under seal and how the matter is to be handled upon unsealing.

(F) The proposed order must recite the findings required by governing case law to support the proposed sealing. Any confidential memoranda will be treated as sealed pending the outcome of the ruling on the motion.

(f) **Duration of Sealing.** Court records filed under seal in civil actions will be maintained under seal until otherwise ordered by the court.

(g) **Non-Filed Documents.** Nothing in this Local Rule limits the ability of the parties, by agreement, to restrict access to documents which are not filed with the court.

**Rule 83.1 ATTORNEYS: ADMISSION AND CONDUCT**

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**(d) Pro Hac Vice Admission of Attorneys:**

....

**(5) Application Fee.** Simultaneously with the filing of the verified application, the applicant must pay a non-refundable fee in an amount set by the court by general order. An applicant will not be required to pay the fee established by L.U.CIV.R. 83.1(b)(5) if the applicant will not charge an attorney fee to the client(s) and is:

- (A)** employed or associated with a pro bono project or nonprofit legal services organization in a civil case involving the client(s) of such programs; or
- (B)** applying to appear in a habeas corpus proceeding for an indigent **defendant; and**
- (C)** not compensated by the Court under the Criminal Justice Act.

**Rule 83.6      BANKRUPTCY**

All cases under Title 11 and all civil proceedings arising under Title 11 or arising in or related to cases under Title 11 are referred to the bankruptcy judges of this District pursuant to 28 U.S.C. § 157(a).

**THIS FORM WILL APPEAR ON THE WEBSITE IN A FILLABLE PDF FORMAT**

**UNITED STATES DISTRICT COURT  
(CHOOSE DISTRICT) DISTRICT OF MISSISSIPPI  
(CHOOSE DIVISION)**

**Enter Plaintiff(s) here:**

**CIVIL ACTION NO.**

**Enter Defendant(s) here:**

**CASE MANAGEMENT ORDER**

This Order, including all deadlines, has been established with the participation of all parties and can be modified only by order of the Court on a showing of good cause supported with affidavits, other evidentiary materials, or reference to portions of the record.

**IT IS HEREBY ORDERED:**

....

**6. DISCOVERY PROVISIONS AND LIMITATIONS.**

....

**F.** The Court imposes the following further discovery provisions or limitations:  
(Pick one)

(There are no further discovery provisions or limitations.)

- \_\_\_ **1.** The parties have agreed that defendant may obtain a FED.R.CIV.P. 35(L.U.CIV.R. 35) medical examination of the plaintiff (within subpoena range of the Court) by a physician who has not examined the plaintiff, and that defendant may arrange the examination without further order of the court. The examination must be completed in time to comply with expert designation discovery deadlines.

....

\_\_\_ 4. The court desires to avoid the necessity of filing written discovery motions where court participation in an informal discussion of the issue might resolve it, even after the parties have been unsuccessful in a good faith attempt to do so. Consequently, before a party may serve any discovery motion, counsel must first confer in good faith as required by F.R. Civ. P. 37(a)(1). If the attorney conference does not resolve the dispute, counsel must contact the chambers of the magistrate judge to request a telephonic conference to discuss the issue as contemplated by F.R. Civ.P. 16(b)(3)(B)(v). Only if the telephonic conference with the judge is unsuccessful in resolving the issue may a party file a discovery motion.

\_\_\_ 5. Other:

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF MISSISSIPPI  
\_\_\_\_\_ DIVISION**

	)	
	)	
Plaintiff(s),	)	
	)	
vs.	)	Case No. _____
	)	
	)	
	)	
Defendant(s).	)	

**NOTICE OF ENDORSEMENT**

Pursuant to the ECF Administrative Procedures, I hereby certify that I endorse the inclusion of my signature on the following document [for example: stipulation of dismissal, or joint motion] which was filed electronically on \_\_\_\_\_:

(Title of document)

\_\_\_\_\_  
 Attorney for (Plaintiff or Defendant)  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Date: \_\_\_\_\_

## Certificate of Service

I hereby certify that on \_\_\_\_ (Date) \_\_\_\_ I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following: \_\_\_\_\_ and I hereby certify that I have mailed by United States Postal Service the document to the following non-ECF participants: \_\_\_\_\_  
\_\_\_\_\_.

s/ \_\_\_\_\_

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF MISSISSIPPI  
\_\_\_\_\_ DIVISION**

_____	)	
	)	
Plaintiff(s),	)	
	)	
vs.	)	Case No. _____
	)	
_____	)	
	)	
Defendant(s).	)	

**NOTICE OF CONVENTIONAL FILING**

\_\_\_\_\_ (Title of document here) is in paper form only and is being electronically filed under seal/or restriction by the Office of the Clerk pursuant to order filed on \_\_\_\_\_. This document has been manually served on all parties.

**OR**

\_\_\_\_\_ (Title of document here) cannot be filed electronically. This document has been manually served on all parties.

\_\_\_\_\_  
Attorney for (Plaintiff or Defendant)  
Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

UNITED STATES DISTRICT COURT  
DISTRICT OF MISSISSIPPI

Plaintiff

v.

CIVIL ACTION  
No.

Defendant

APPLICATION FOR ADMISSION PRO HAC VICE

....

(K) The undersigned resident attorney certifies that he/she agrees to the association with Applicant in this matter and to the appearance as attorney of record with Applicant.

\_\_\_\_\_  
Resident Attorney

I certify that the information provided in this Application is true and correct.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant's Handwritten Signature

**Unless exempted by Local Rule 83.1(d)(5), the application fee established by this Court must be enclosed with this Application.**

CERTIFICATE OF SERVICE

The undersigned Applicant certifies that a copy of this Application for Admission Pro Hac Vice has been mailed or otherwise served on this date on all parties who have appeared in this case.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
~~Applicant's Handwritten Signature~~  
Resident Attorney