

JAN 12 2024

C/E

## CA02db CourtBallots

---

**From:** CA02db CourtBallots  
**Sent:** Thursday, January 11, 2024 2:58 PM  
**To:** Brenda Sannes; Debra Livingston; Elizabeth Wolford; Geoffrey Crawford; Joseph Bianco; Laura Swain; Margo Brodie; Michael Park; Michael Shea; Raymond Lohier; Richard Sullivan; Steven Menashi; William Nardini  
**Cc:**  
**Subject:** Proposed Changes to Local Rules - District of Connecticut - ACTION REQUESTED  
**Attachments:** Rule 7.d excerpt clean copy.pdf; Rule 7.d excerpt redlined .pdf; Rule 37(a) clean copy .pdf; Rule 37(a) redlined.pdf

Dear Judicial Council:

The District of Connecticut seeks Judicial Council approval for proposed changes to two of their local rules of civil procedure.

The proposed changes have been published on the Court's website for comment and counsel has been notified via CMECF. A clean and redline version of the proposed changes are attached.

Kindly reply with your vote by January 18.

Thank you,  
Aisha D. Parks



Office of the Circuit Executive  
Thurgood Marshall U.S. Courthouse  
40 Foley Square, Room 2904  
New York, NY 10007  
(212)-857-8700

## RULE 7

### MOTION PROCEDURES

(Amended ~~September 10, 2020~~ January \_\_, 2024)

....

#### **(d) Reply Memoranda**

Reply memoranda are permitted but not required. ~~not required and the absence of a reply memorandum will not prejudice the moving party.~~ Any reply memorandum, including cases brought under 28 U.S.C. § 2254 and 28 U.S.C. § 2255, must be filed within fourteen (14) days of the filing of the responsive memorandum to which reply is being made, as computed under Fed. R. Civ. P. 6. A reply memorandum may not exceed 10 pages. A reply memorandum must be strictly confined to a discussion of matters raised by, and must contain references to the pages of, the memorandum to which it replies. No sur-replies may be filed without permission of the Court, which may, in its discretion, grant permission upon a showing of good cause.

....

## **RULE 7**

### **MOTION PROCEDURES**

(Amended January \_\_\_\_, 2024)

....

#### **(d) Reply Memoranda**

Reply memoranda are permitted but not required. Any reply memorandum, including cases brought under 28 U.S.C. § 2254 and 28 U.S.C. § 2255, must be filed within fourteen (14) days of the filing of the responsive memorandum to which reply is being made, as computed under Fed.R.Civ.P. 6. A reply memorandum may not exceed 10 pages. A reply memorandum must be strictly confined to a discussion of matters raised by, and must contain references to the pages of, the memorandum to which it replies. No sur-replies may be filed without permission of the Court, which may, in its discretion, grant permission upon a showing of good cause.

....

## RULE 37

### DISCOVERY DISPUTES

(Amended ~~April 10, 2017~~ January , 2024)

(a) No motion pursuant to Rules 26 through 37, Fed. R. Civ. P. shall be filed unless counsel making the motion has conferred, in person or by telephone, with opposing counsel and discussed the discovery issues between them in detail in a good faith effort to eliminate or reduce the area of controversy, and to arrive at a mutually satisfactory resolution. In the event the consultations of counsel do not fully resolve the discovery issues, counsel making a discovery motion shall file with the Court, as a part of the motion papers, an affidavit certifying that he or she has conferred with counsel for the opposing party in an effort in good faith to resolve by agreement the issues raised by the motion without the intervention of the Court, and has been unable to reach such an agreement. If some of the issues raised by the motion have been resolved by agreement, the affidavit shall specify the issues so resolved and the issues remaining unresolved. This rule shall also apply to self-represented parties making such motions and to parties seeking to file any such motion against self-represented parties.

....

## **RULE 37**

### **DISCOVERY DISPUTES**

(Amended January \_\_\_\_, 2024)

(a) No motion pursuant to Rules 26 through 37, Fed.R.Civ.P. shall be filed unless counsel making the motion has conferred, in person or by telephone, with opposing counsel and discussed the discovery issues between them in detail in a good faith effort to eliminate or reduce the area of controversy, and to arrive at a mutually satisfactory resolution. In the event the consultations of counsel do not fully resolve the discovery issues, counsel making a discovery motion shall file with the Court, as a part of the motion papers, an affidavit certifying that he or she has conferred with counsel for the opposing party in an effort in good faith to resolve by agreement the issues raised by the motion without the intervention of the Court, and has been unable to reach such an agreement. If some of the issues raised by the motion have been resolved by agreement, the affidavit shall specify the issues so resolved and the issues remaining unresolved. This rule shall also apply to self-represented parties making such motion and to parties seeking to file any such motion against self-represented parties.

....