

updated 1/2013

**INDIVIDUAL MOTION PRACTICES OF
SENIOR JUDGE EDWARD R. KORMAN**

United States District Court

225 Cadman Plaza East

Brooklyn, New York 11201

Telephone: (718) 613-2470

Courtroom 8A South

Fax: By permission only

Fax Page Limit: 5 pages

Contact: PaulaMarie Susi, Courtroom Deputy

Telephone: (718) 613-2476

Hours: 10:00am - 6:00pm

*** UNTIL FURTHER NOTICE, HARD COPIES OF ALL DOCUMENTS ARE TO BE PROVIDED TO
CHAMBERS UPON FILING ***

To facilitate the work of the Clerk's office, and to avoid confusion, all papers should bear the docket number for that case followed by the initials of the Judge (ERK) *as well as the initials of the Magistrate Judge assigned.*

For questions concerning procedure please refer to the Federal Rules of Civil (or Criminal) Procedure and the Local Rules of the Eastern District.

Unless otherwise ordered, matters before the judge shall be conducted in accordance with the following practices:

I. ELECTRONIC CASE FILING (ECF)

A. Counsel must file all documents electronically. When orders are posted electronically, parties not registered on ECF (with the exception of pro se parties) will not receive them.

B. Written requests by attorneys for an exemption from electronic filing will be considered for good cause by the assigned magistrate judge.

C. Pro se parties are automatically exempt from mandatory electronic filing. However, parties represented by counsel in cases involving a pro se litigant must still use electronic filing, and they must mail a hard copy of all documents to the pro se litigant.

D. Hard copies of motions and voluminous submissions must be provided to Chambers. All such papers must be clearly marked "COURTESY COPY - ORIGINAL FILED BY ECF."

E. Parties filing voluminous or non-text exhibits may file only hard copies of those exhibits with prior permission. If exhibits are not electronically filed, one copy of each exhibit must be clearly marked "ORIGINAL" and another "COURTESY COPY." Related papers that are electronically filed must clearly indicate that exhibits have been filed by hard copy.

F. Sealed documents or documents containing sealed/sensitive information will be filed via ECF under seal, with a hard copy to chambers labeled "SEALED" or "SENSITIVE."

G. Attorneys having questions regarding the technical aspects of electronic filing, including registration, filing, and training, should refer to the website: http://www.nyed.uscourts.gov/CM_ECF/cm_ecf.html. Additional questions should be directed to Ms. Evelyn Levine at (718) 613-2312.

II. COMMUNICATIONS WITH CHAMBERS

A. Letters. Except as provided below, communications with chambers shall be by letter, with copies simultaneously delivered to all counsel. Copies of correspondence between counsel shall not be sent to the Court.

B. Calls. All calls concerning any calendar matters or adjournments should be made to Mrs. PaulaMarie Susi, Courtroom Deputy, at 718-613-2476. Do not call chambers directly. Pro se litigants may call the pro se office at (718) 613-2665.

*Do not call regarding the **status** of any case or submission without **first** referring to the docket sheet.*

C. Faxes. Faxes to chambers are permitted only if copies are simultaneously faxed or delivered to all counsel. No document longer than five pages may be faxed without prior authorization. Documents faxed must also be electronically filed.

D. Requests for Adjournments or Extension of Time. All requests for adjournments or extensions of time must state (1) the original date, (2) the number of previous requests for adjournment or extension, (3) whether these previous requests were granted or denied, and (4) whether the adversary consents, and, if not, the reasons given by the adversary for refusing to consent. If the requested adjournment or extension affects any other scheduled dates, a proposed Revised Scheduling Order must be attached. If the request is for an adjournment of a court appearance, it shall be made at least 72 hours prior to the scheduled appearance, absent an emergency.

**** MOTION PRACTICE**

The “bundling” rule applies: No motion papers shall be filed via ECF, nor courtesy copies provided to chambers, until the motion has been fully briefed.

Filing of Motion Papers.

A. No motion papers shall be filed until the motion has been fully briefed. The notice of motion and all supporting papers are to be served on the other parties along with a cover letter setting forth who the movant represents and the papers being served. A copy of the cover letter only is to be ECF filed.

B. The parties are to set up their own briefing schedule, which does not need Court approval. The parties may revise the schedule on consent. Said revisions do not need court approval. Counsel shall inform chambers by letter as to the revised dates.

C. The original moving party shall be responsible for ECF filing a fully briefed motion papers. Such party is further obligated to furnish to chambers a full set of the motion papers in hard copy together with a cover letter specifying each document in the package. A copy of the cover letter shall be sent to the assigned magistrate judge and to opposing counsel.

D. Oral Argument on Motions. The court will determine whether argument will

be heard and, if so, will advise counsel of the argument date.

THIS PROCEDURE IS TO BE FOLLOWED FOR CROSS MOTIONS AS WELL.

NOTE: All non-dispositive motions (discovery, amendments to the pleadings, etc.) are referred to the Magistrate Judge assigned to the case. Please contact the appropriate chambers, or local motion practices, for the proper procedures.

Any questions concerning these procedures should be directed to Mrs. Susi.

OTHER

Counsel shall appear promptly for all pre-trial conferences, prepared and authorized to discuss progress in the case, scheduling of further proceedings, and possible settlement.