

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

REVISED STANDING ORDER  
OF JUDGE GETTLEMAN  
REGARDING BRIEFS, MOTION PRACTICE, DISCLOSURES,  
AND PROTECTIVE ORDERS

**RULES 1 AND 2.A-G APPLY TO CIVIL AND CRIMINAL CASES**

1. ALL DOCUMENTS

A. Consistent with L.R. 5.2(f), a chambers copy of any document filed electronically with the clerk must be delivered to Room 1788 by 4:30 p.m. on the day the document is electronically filed or by 10:00 a.m. the following morning if filed after 2:00 p.m. **Please be aware that this requirement differs from**

**L.R. 5.2(f).**

B. Double-sided printing is not permitted.

C. All documents delivered to chambers must be bound properly in accordance with L.R. 5.2; unbound documents (including complaints and answers) will be stricken. If a chambers copy has more than one exhibit, it must be bound on the left side and include right-margin tabs for each exhibit, along with an index of exhibits. See L.R. 5.2(d). Documents containing voluminous exhibits should, in addition to complying with the above requirements, be bound in a three-ring binder.

D. Motions to file briefs exceeding 15 pages are looked upon with disfavor and shall not be granted except in unusual circumstances. See L.R. 7.1. All briefs and other submissions must be double-spaced. Briefs that use nonstandard typeface or spacing or

that improperly purport to incorporate another pleading (such as an L.R. 56.1 statement) to avoid the 15-page limitation will be stricken by the court. Strict compliance with L.R. 5.2(c) is expected and will be enforced by striking non-compliant documents. Excessive and/or substantive footnotes are strongly discouraged and will be counted as double-spaced passages when computing the number of pages in a brief.

E. L.R. 7.1 will be strictly enforced; all briefs that exceed 15 pages must have a table of contents and a table of cases.

F. All briefs, memoranda, exhibits, or other material left with the court longer than 15 days after a ruling has been issued will be discarded without further notice. (This does not include original documents or exhibits filed with the clerk of court.)

## 2. MOTIONS

A. The requirements in 1.B-D also apply to motions.

B. Motions will be heard at 9:15 a.m. Tuesdays, Wednesdays, and Thursdays in Courtroom 1703.

C. All motions must be noticed for presentment pursuant to L.R. 5.3(b). Notices of filing are not necessary or desired so long as a certificate of service is attached to the motion or brief.

**D. Unless otherwise ordered, all notices of motions and motions must be filed AND chambers copies delivered no later than 4:30 p.m. three business days before the date the motion is to be heard. If a chambers copy is not timely delivered, the court will not hear the motion.**

E. For “routine” motions (e.g., leave to file amended pleadings, motions for

extensions of time, and motions that do not require briefing schedules), moving counsel should check with the minute clerk, Claire Newman ((312) 435-5544) after 3:00 p.m. the day before the motion is set to determine if there is a need to appear. The court will attempt to rule on uncontested routine motions without requiring counsel to appear. If no appearance is required, moving counsel must so notify respondent's counsel; failure to do so may result in the award of fees to responding counsel who have appeared unnecessarily.

If in connection with any such otherwise "routine" motion moving counsel is aware there will be an objection, this should be conspicuously noted in the body of the motion. If the respondent intends to object to such a motion that does not note the objection, respondent's counsel should so inform movant's counsel and the court's minute clerk by 4:30 p.m. of the second business day preceding the day the motion is to be heard.

#### **F. Motions for Orders of Default, Default Judgment and Mortgage**

**Foreclosure:** All such motions must be verified and recite the date each party was served, the date all appearances were due and all other facts supporting the motion for default. All such motions and notices thereof must be mailed to or otherwise served on each party at his, her, or its last known address.

G. When a case is set for a status conference, any party may, within the time periods and in the manner set forth above, file a motion with a notice to be heard at the time of the status conference.

H. **Discovery Motions:** Civil discovery motions shall not be heard without a statement pursuant to L.R. 37.2 and Fed. R. Civ. P. 37(a)(1)(A). In addition, no party

shall serve on any other party more than 25 interrogatories in the aggregate without leave of court, in strict compliance with the provisions of L.R. 5.2(c).

I. **Summary Judgment Motions:** L.R. 56.1 will be strictly enforced. Unless otherwise ordered, no statement filed pursuant to L.R. 56.1(a)(3) may contain more than 80 statements of uncontested fact, and no statement filed under L.R. 56.1(b)(3)(B) may contain more than 40 statements of additional fact.

3. EXPERT WITNESS DISCLOSURES AND MOTIONS

A. Disclosures regarding experts' opinions, the basis and supporting data, information and exhibits, qualifications, fees, and other cases in which the expert has testified in the last four years are automatically required by Fed. R. Civ. P. 26(a)(2).

B. Expert disclosures required by Fed. R. Civ. P. 26(a)(2) shall be made no later than 60 days before the discovery cut-off date, unless otherwise ordered. Rebuttal information required by Fed. R. Civ. P. 26(a)(2) must be provided no later than 30 days before the discovery cut-off date, unless otherwise ordered.

C. Compliance with Fed. R. Civ. P. 26(a)(2) is required before an expert may be designated as a trial witness in the final pretrial order.

D. Any motions concerning expert qualifications filed pursuant to Daubert v. Merrill Dow Pharmaceuticals, 509 U.S. 579 (1993), and its progeny, shall be filed at least 60 days prior to trial, or 10 days prior to the discovery cut-off date, whichever is earlier.

4. PROTECTIVE ORDERS

In light of the holding in Jepson, Inc. v. Makita Elec. Works, Ltd., 30 F.3d 854, 858-59 (7th Cir. 1994), and its progeny with respect to protective orders:

A. All material sought to be protected should be described in sufficient detail to justify such protection (e.g., "trade secrets," "personnel files," etc.). Parties should not be given total discretion to mark whatever material they choose to be protected or kept confidential.

B. This court will not require the inclusion of an express finding of good cause in such orders. Instead it will review such orders with care and in detail before signing them. Its issuance of the protective order in the light of this Standing Order will constitute its determination, as required by Fed. R. Civ. P. 26(c), that good cause existed for such issuance.

C. Issuance of any protective order will not, however, be given binding effect as a determination of good cause for Fed. R. Civ. P. 26(c) purposes if at any future time either party moves for relief from the limitations of the protective order. At that time this court will engage in an appropriate balancing of the interests between privacy and public access in order to make a new determination of good cause in light of the facts then before this Court. See Jepson, 30 F.3d at 859.

D. Whenever parties are contemplating their entry into a protective order that includes the possibility that documents that are designated as "Confidential" or that are otherwise subject to limited disclosure ("restricted documents" within the meaning of L.R. 26.2(a)) may be filed in court, three special provisions must be included:

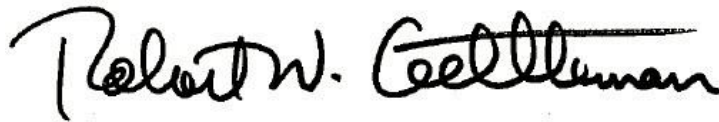
1. No filing under seal, or any other designation as a restricted document, is to be permitted without previously-obtained court approval (see Citizens First Nat'l Bank v. Cincinnati Ins. Co., 178 F.3d 943 (7th Cir. 1999)).

2. After the case is closed in the District Court (this requirement differs from L.R. 26.2(e), which speaks of the case's "final disposition including appeals"), the parties may obtain the return of any previously-sealed or previously-restricted documents by a motion filed within a specified time period after the case is closed. Counsel are free to agree on that specified time period, but they should not designate more than a 63-day period. Any documents that are not so withdrawn will become part of the public case file, and the protective order must so provide.

3. If the protective order contains any provision that would permit its amendment by agreement of the parties without requiring court approval, that power of amendment cannot extend to the subjects covered in paragraphs 1 and 2.

**Dated: September 25, 2018**

ENTER:

A handwritten signature in black ink that reads "Robert W. Gettleman". The signature is written in a cursive style with a horizontal line through the middle of the letters.

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**Robert W. Gettleman**  
**United States District Judge**