Motion Practice (part 1/2)

CONCURRENCE

The Court requires strict compliance with **Local Rule 7.1(a)** regarding concurrence, and the Court may impose costs for failure to comply with the Local Rule.

BRIEFS AND BRIEFING SCHEDULE

Local Rule 7.1(c) requires that motions and responses be accompanied by a separate brief. Motions may not be included within or appended to a response or a reply, and under no circumstances may a motion be included within the text or footnotes of another motion.

The Court does not typically issue a briefing schedule; rather, it follows the time limits set forth in **Local Rule 7.1(e)** and Federal Rule of Civil Procedure 6. The Court enforces the response and reply due dates as set forth in **Local Rule 7.1(3)**, even when the motion hearing is set far in advance.

The Court adheres to E.D. Mich. LR 5.1 and 7.1 regarding format and form of motions and briefs, the type of briefs required and permitted, and page limitations. All briefs must contain an index of exhibits, and the Court suggests a table of contents for briefs over ten pages. Deviations from the length and/or timing of briefs under these Rules must be by leave of Court and will rarely be granted. The parties must index and tab their exhibits. Failure to file timely briefs may result in those briefs being stricken, and untimely reply briefs may not be considered.

Citations in motions and briefs must comply with the current Bluebook rules for federal court, and controlling authority must be cited in the text of the brief, not in footnotes.

HEARINGS/ORAL ARGUMENT ON MOTIONS

Except in pro se prisoner cases and on motions for reconsideration, the Court often hears oral argument on civil motions. Upon filing or referral, the Court will notify the parties of the date and time of a hearing. However, pursuant to E.D. Mich. LR 7.1(f), the Court may cancel a scheduled hearing or decide the matter without a hearing where the issues can be decided on the briefs.

Each side generally will be limited to an aggregate of 15 minutes of argument, as the Court will have reviewed the parties' briefs prior to the hearing.

COURTESY COPIES

If a motion, response, or reply (including exhibits) totals more than 20 pages, a courtesy copy of the motion and exhibits shall be provided to the Court's Chambers, either by hand delivery or by mail within five days of the date it was electronically filed. Exhibits on the courtesy copy must be separated by protruding tabs, and relevant portions of exhibits must be highlighted. The courtesy copy should be a filed copy containing the electronic date stamp on the top of the page. Where a filing relates to a court proceeding scheduled within the next five days or otherwise requiring the immediate attention of the Court, the Chambers copy must be hand-delivered to Chambers no later than the morning of the next business day after e-filing the document(s).