Motion Practice (parts A - E)

A. CONCURRENCE

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

B. FORMAT AND PAGE LIMITATIONS

All briefs must comply with Local Rules 5.1 and 7.1, and must contain citations to appropriate authorities within the text of the brief. Citations must conform to the latest edition of *The Bluebook: A Uniform System of Citation* published by the Harvard Law Review. All citations to documents already in the record must be in the following format: ECF No. 1-2, PageID.1234

The Court enforces the page limit set forth by Local Rule 7.1(d)(3) and the formatting/type size requirements set forth by Local Rule 5.1(a). The Court does not routinely grant requests to file longer briefs. Requests to file an oversized brief must be made by motion, in which the moving party sets forth specific reasons justifying the need for additional pages.

If a brief and its accompanying exhibits exceed twelve pages in total length, the filing must contain a table of contents, a table of authorities, and an index. Briefs and accompanying exhibits that exceed twelve pages must comply with the requirements of length set forth in Local Rule 7.1(d)(3).

References in briefs to an argument or statement made by an opposing party must include a specific citation to the docket and page numbers of the matter referenced. Documents must be prepared in 14-point type and double spaced.

Captions of motions, briefs and proposed orders may never contain extraneous matters such as a listing of counsel or other language commonly found in state court filings. Pleadings containing such extraneous matters will not be filed by the deputy clerk.

C. BRIEFING SCHEDULE AND ORAL ARGUMENT - DISPOSITIVE MOTIONS

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. Attorneys who do not respond to motions in a timely fashion are not permitted to argue before the Court during oral argument.

The Court will schedule hearings on most dispositive motions made before or during trial. The Court will occasionally cancel oral argument when, after a review of the briefs, the Court finds that argument would be neither necessary nor helpful. *See* E.D. Mich. L.R. 7.1(e)(2).

D. BRIEFING SCHEDULE AND ORAL ARGUMENT - NON-DISPOSITIVE MOTIONS

As stated previously, Counsel must comply with the time limits set forth in Local Rule 7.1(e) and Federal Rule of Civil Procedure 6.

The Court will generally schedule a hearing on post-trial and non-dispositive motions (including motions for temporary restraining orders), except motions for reconsideration and

prisoner *pro se* motions. The parties are encouraged to present a proposed order at the hearing.

If the parties resolve a pending motion before the hearing date, they must notify chambers within one business day by sending an email to the Case Manager. The movant must then file a notice withdrawing the pending motion.

Under the Court's global discovery referral, discussed below, discovery motions are to be filed according to the procedures adopted by the assigned Magistrate Judge. The Court does not generally refer other individual motions, except as required by Court procedure.

E. **SEPARATE MOTION AND BRIEF**

Local Rule 7.1(c) requires that motions and responses to 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.