

MANDATORY TRIAL PRACTICE PROCEDURES

Welcome to Judge Graham's Division. In an effort to alert the parties to issues that frequently arise, the following required procedures have been prepared to assist in the orderly resolution of your case. Keep in mind, these procedures are non-exhaustive and only serve as a supplement to the Federal Rules of Civil Procedure and the Local Rules for the Southern District of Florida.

1. The Court's Notice of Status Conference requires the parties to submit a Joint Status Report. This Joint Status Report will serve to satisfy the parties' Rule 16 obligations.
2. After the initial status conference in this case is held, the Court will enter a Scheduling Order to govern proceedings. Please review this Scheduling Order carefully. Calendar all dates with advance ticklers, to ensure your submissions will be filed timely.
3. The Southern District of Florida is one of the busiest trial courts in the country. In order to resolve your case in a timely manner, please refrain from filing motions for extensions of time. Motions to Extend, Continue or Enlarge will rarely be granted.
4. Counsel are reminded to comply with the filing requirements set forth in the Administrative Procedures of the Southern District of Florida for the Case Management Electronic Case Filing (CM/ECF).
5. In accordance with Local Rule 5.1.A.4, all pleadings, motions, and other papers tendered for filing shall be plainly typed or written on one (1) side with one (1) inch margins on each side and properly paginated at the bottom of each page. In addition, all such papers shall be double-spaced and typed papers shall appear in twelve (12) point font size.

6. Do not request extensions of the discovery deadline without making every effort to obtain discovery and resolve discovery disputes. Any requests to extend the discovery deadline must be made **at least ten (10) days before** the expiration of the discovery deadline. Generally, the Court will not permit discovery past the discovery deadline, except on occasion at the convenience of the parties and without Court intervention in the resolution of any discovery disputes. Any such accommodation will not result in an extension of the remaining pre-trial deadlines i.e. deadline for filing motions, trial, etc.

7. For all motions requesting extensions of time, the moving party should type on the middle right hand side of the pleading, the deadline for filing motions, the date of the pretrial conference, calendar call and trial period, if applicable. Also, advise the number of times requests for extensions of time have been filed and whether the motion has been referred to the Magistrate Judge. A sample format appears below. Motions without this information will be summarily denied.

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA _____ DIVISION CASE NO. 0x-xxxxxx-CIV-GRAHAM	
A, Plaintiff, vs. B, Defendant. _____/	Deadline to file motions: xx/xx/xx Pretrial Conference: xx/xx/xx Calendar Call: xx/xx/xx Trial Period: xx/xx/xx No. of extension requests: _____ Referred to Magistrate: Yes/No
MOTION FOR EXTENSION OF TIME	

8. If a Motion to Extend, Enlarge, Continue is granted, DO NOT MAKE a second request whether it is related or not to the granted relief. In other words, no more than one Motion to Extend per party will be considered.
9. Include a proposed order with all motions in accordance with the CM/ECF Administrative Procedures. The proposed document should be sent separately by e-mail in WordPerfect or Word format. The e-mail subject line and the name of the attachment should include the case number, docket entry number, followed by a short description of the attachment (e.g., **0x-CV-xxxxxx** Order on DE xx) to **graham@flsd.uscourts.gov**.
10. In accordance with Local Rule 7.1.A.3(a), the moving party must include the position of opposing parties on all appropriate motions. Please indicate with specificity the manner in which reasonable efforts were initiated (via facsimile, e-mail or voice-mail), the dates of such efforts, and the number of times an inquiry and follow up on the response to the inquiry was sought. Failure to comply with Local Rule 7.1.A.3(a) will likely result in denial of the requested relief.
11. Although the Scheduling Order will contain a deadline to amend pleadings, please make every effort to amend your pleadings as early as possible.
12. The parties should make every effort to comply with the Scheduling Order. The Court expects the parties to be prepared for trial on the agreed upon scheduled trial date. Over ninety (90) percent of the cases are reached during the scheduled trial period.
13. If the parties elect to have a United States Magistrate Judge conduct any and all further proceedings in the case, including trial, please have all pleadings filed thereafter indicate that election by typing "**CONSENT CASE**" in bold type under the case number.
14. You will receive an Order of Reference to Mediation. It is imperative to utilize the mediation procedures as early as possible. If the parties cannot agree on a mediator, they may either seek random selection by the Clerk of the Court, or request that the Court select a mediator for the parties.

15. If the parties believe they may benefit from a settlement conference before the Magistrate Judge, please request the Court to refer the case for a settlement conference at any time. For example this could be before or soon after the scheduling conference.
16. Please keep your service list current to ensure that all orders and other notices are distributed to the proper parties and is still required when a party files a document electronically. The certificate must state the manner in which service or notice was accomplished on each party. A model form (Form B) can be found in the CM/ECF Administrative Procedures. Federal Rules of Civil Procedure 6(e) for service by mail shall also apply to service by electronic means.
17. Local Rule 7.1(B)(3) provides that a "Notification of Ninety Days Expiring" be filed for any motion that has been pending and fully briefed for ninety (90) days. In this Division, if a ripe motion or decision after oral argument or a bench trial is pending for more than forty-five (45) days, please contact Chambers and advise the Judicial Administrator of the pendency of the motion.
18. For additional information, please visit the Court's website located at **www.flsd.uscourts.gov**.

Thank you for your attention to the above matters. We look forward to the expeditious resolution of your disputes. If we can be of assistance, please file the appropriate motion in a timely fashion.

___08/08