

JUDGE PAUL A. MAGNUSON

PRACTICE POINTERS AND PREFERENCES

Contact with Chambers

- Judge Magnuson prefers that lawyers and their staff contact his calendar clerk, not his law clerks.

Motion Scheduling

- The calendar clerk provides an oral argument date when a date is requested by counsel.
- Judge Magnuson **does not follow the Local Rules** with respect to dispositive motion practice. A standing order is entered in each case describing Judge Magnuson's practice in detail. Judge Magnuson's practice is also outlined below.
- Oral argument on dispositive motions must take place at least 42 days after the filing of a party's motion papers. More often than not, the hearing will occur more than 42 days after a motion is filed.
- The memorandum in support of a dispositive motion is due at least 42 days before the hearing. Any opposition memorandum is due 21 days before the hearing. Any reply memorandum is due 14 days before the hearing.
- When the moving party calls to obtain an oral argument date, it is up to the parties to follow the dispositive motion briefing schedule. If the motion is not fully briefed by the final date of the briefing schedule, which is 14 days before the hearing, the motion hearing may be canceled and the motion may be taken on the papers.
- As long as a party has filed its motion papers and has received a date from the calendar clerk before the deadline for dispositive motions set in the pretrial scheduling order, that party is in compliance with the pretrial scheduling order.
- The parties need not meet and confer before filing a dispositive motion.
- Judge Magnuson hears *Daubert* motions himself. Please call his calendar clerk to schedule a *Daubert* motion at some point after expert reports have been submitted but well before the deadline for motions in limine.

Written Submissions

- Follow the word count and page limits set forth in the Local Rules.
- If a party needs additional pages, a party must submit a written request in advance to request additional pages.
- Judge Magnuson requests two courtesy hard copies of the memoranda of law, and one copy of affidavits, exhibits and other supporting documents.

In-Court Proceedings

- Be on time.
- Be formal in the courtroom—stand at the podium and formally address the Court and counsel.
- Judge Magnuson has no preference as to which side of the courtroom the parties sit.
- Judge Magnuson generally grants no more than 20 minutes to each side for oral argument on summary judgment motions. This time limit varies, however, depending on the type and size of case.
- There is no need to repeat facts that are set forth in the brief. Judge Magnuson reads the written submissions in advance.
- If a party submits additional or new case law at oral argument, counsel must first furnish the additional case law to opposing counsel. Also bring extra copies for the Court.

Trial

- The parties are required to meet and confer in advance of trial and then jointly submit to the Court an exhibit list on which they agree. Judge Magnuson does not require this on jury instructions. He will, however, require parties in a civil trial to agree on a jury verdict form before trial begins.
- Attorneys may request the opportunity to *voir dire* prospective jurors. Such requests are rarely granted, however. If a party's request is granted, Judge Magnuson generally gives each side 10 or 15 minutes for *voir dire*.
- With respect to videotaped depositions, attorneys must confer and edit the tapes to get to the heart of the matter. If the videotapes are unnecessarily lengthy, Judge Magnuson will curtail the use of the tape.

Settlement Conferences

- Judge Magnuson refers all settlement conferences to the magistrate judge or a special master.
- The parties can request a settlement conference at any time by contacting Judge Magnuson's calendar clerk or by sending a letter to Judge Magnuson.
- The Court is willing to engage in more than one settlement conference in a case.