Revised 6.10.11

MAGISTRATE JUDGE JANIE S. MAYERON

Practice Pointers And Preferences

Contact with Chambers

- Magistrate Judge Mayeron encourages you to contact her judicial assistant, Katie Haagenson, or her law clerks, if you have questions about her practice pointers and preferences.

- Members of Magistrate Judge Mayeron's chambers have been instructed not to provide answers to legal questions over the telephone. This includes procedural questions that would be governed by the Federal Rules of Civil Procedure or the Local Rules for the District of Minnesota.

- When arranging for a telephone conference with Magistrate Judge Mayeron, the moving party should have all parties on the telephone before contacting chambers.

- When contacting the Court with a question regarding a specific case, please have the case name and case file number ready to provide to chambers.

- If a party has a question or needs clarification regarding an order submitted by the Court, please submit a letter to Magistrate Judge Mayeron asking for clarification. Do not call chambers asking for clarification.

Motion Scheduling

- All motions to be heard by this Court must be scheduled through Magistrate Judge Mayeron's judicial assistant, Katie Haagenson. Ms. Haagenson can be contacted at 651-848-1190. Even if the parties to a dispute agree that a motion can be submitted on the papers, Ms. Haagenson must be contacted to set the date for submission of the matter to the Court (the matter will be deemed submitted upon receipt of the last pleading).

- Once a motion date and time has been reserved, do not add additional motions without contacting the judicial assistant to make sure there is enough time scheduled for all of the motions. As a general rule, Magistrate Judge Mayeron schedules a half hour for nondispositive motions, and 1 hour for dispositive motions.

- If a motion or case has been resolved, please contact chambers as soon as possible (by email or in writing) so that it may be removed from the calendar. Even if a motion has only been partially resolved, please contact chambers to let the Court know what parts of the motion have been resolved.

- In patent cases, Magistrate Judge Mayeron uses a specific pretrial scheduling order for patent cases. Magistrate Judge Mayeron will send you a draft of that order in connection with the Notice of Pretrial Conference.

- Before filing a non-dispositive motion, consider whether the issue can be resolved through an informal telephone conference with Magistrate Judge Mayeron, rather than through the filing of a formal motion and formal hearing. In order for a matter to be resolved through an informal telephone conference, all parties to the dispute must agree to conduct the dispute in that fashion. If all parties to the dispute do not agree to resolving the matter through an informal telephone conference with Magistrate Judge Mayeron, then the matter must be presented by a formal motion.

Written Submissions

- Before submitting any motion to the Court, check to make sure that you are in compliance with the Local Rules for the District of Minnesota and the specific case Pretrial Scheduling Order. For example, all motions to modify the pretrial scheduling order require compliance with Local Rule 16.3; and Local Rule 37.2 requires for all motions to compel dealing with interrogatories, document requests and requests for admission, that the discovery response and objection at issue be stated verbatim within your memorandum of law.

- Magistrate Judge Mayeron strictly follows the word count and format rules set forth in the Local Rules.

- Do not use tiny footnotes in your briefs. They are difficult to read and suggest that the information contained in them is not very important.

- Please remember that parties are to send to chambers (by U.S. mail or hand delivery) two hard copies, three hole punched, of all pleading (i.e., Rule 26(f) Reports, Motions, Memoranda, Responses, etc.) pursuant to the Local Rules.

- When making a motion to amend a pleading, Magistrate Judge Mayeron asks that the moving party submit a “red-lined” version of the proposed

amended pleading showing the differences between the original and the proposed amendment.

- Do not refer to pleadings in your motion papers and assume that the Court has easy access to them. If another pleading is important enough to be referenced in your motion papers, then attach it, so that your motion is a self-contained bundle.

- Proposed orders should be e-mailed to mayeron_chambers@mnd.uscourts.gov, and should be in Word or WordPerfect format.

- For non-dispositive motions, be specific as to what you want in your proposed order (e.g. for motions to compel, identify each discovery request for which you are seeking relief and the relief sought). Do not just state grant or deny motion.

In-Court Proceedings

- Stand at the podium when addressing the Court and counsel. Address the Court and opposing counsel with civility and formality.

- Direct your oral arguments to the Court, not to the law clerk or other court personnel.

- Magistrate Judge Mayeron reads all written submissions in advance, so keep that in mind when preparing your oral argument.

- Rather than repeating the arguments stated in your submission, focus oral argument on responding to the opposing party's arguments.

- If a party submits additional case law or exhibits at oral argument, counsel must first furnish the additional case law or exhibits to opposing counsel. Bring two additional copies of cases or any other handouts used in oral argument for the Court.

Settlement Conferences

- Read and comply with the Order for Settlement Conference issued by the Court. Among other items, this Order requires the parties to send to the Court in advance of the conference a confidential statement addressing several issues.

- Parties should be prepared to spend the entire day (and even the evening) at a settlement conference, if the Court deems that the parties are making progress at the conference. Therefore, attorneys and their client

representatives should be prepared to change other events they have planned for the day or evening, and their travel plans, if necessary.