

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

Chambers Practices of United States Magistrate Judge Brenda Weksler

This order establishes requirements and procedures for all civil cases before Judge Weksler in which the parties submit to the jurisdiction of the Magistrate Judge under 28 U.S.C. § 636(c) and in which Judge Weksler receives a reference by the district judge in accordance with LR IB 2-1. This Court extends its sincerest gratitude to the parties for their willingness to have Judge Weksler exercise jurisdiction in their matter.

Opportunities for More Junior Lawyers

Judge Weksler strongly encourages litigants to permit more junior members of the litigation team to examine witnesses at trial and hearings and to appear for oral argument. In those instances where Judge Weksler is inclined to rule on the papers, a representation that the argument would be handled by a more junior lawyer (five or fewer years of experience) will weigh in favor of holding oral argument. Where the more junior attorney is permitted to present the argument, Judge Weksler will entertain reasonable requests for a more senior attorney to supplement any argument that is made. Judge Weksler believes it is crucial to provide substantive speaking opportunities to newer lawyers and that the benefits of doing so will accrue to all members of the profession and their clients. Thus, Judge Weksler encourages all lawyers practicing before her to keep this goal in mind. It is the way one generation will teach the next to try cases and to maintain our district's reputation for excellence in trial practice.

Local Rules

Counsel and *pro se* parties are required to familiarize themselves with the Local Rules of this District. They can be found on the court's webpage. Failure to follow the Local Rules can result in sanctions.

Courtesy Copies

Judge Weksler maintains a paperless chambers. Please refrain from providing courtesy copies to chambers unless specifically requested.

Telephone Calls

Telephone calls to chambers are permitted for docketing, scheduling, and calendar matters. Telephone calls are otherwise permitted only for urgent matters. Chambers can be reached at (702) 464-5570.

PDF Format

In accordance with LR IC 2-2 and LR IA 10-1, the parties are directed to file documents in a searchable PDF format, with the exception of exhibits and/or attachments. While not required by the Local Rules, Judge Weksler appreciates receiving exhibits and/or attachments which have also been scanned in a searchable PDF format.

Motion Practice – Prioritization of Motions

The following general guidelines govern the prioritization of motions:

- Dispositive motions: jurisdictional motions, such as motions to remand and motions for lack of personal or subject-matter jurisdiction, will be addressed before other motions in an effort to diminish the need for the parties to engage in unnecessary discovery.
- Motions are decided in the order in which they are filed, unless a motion requires a decision on an expedited basis.

Proposed Orders

Parties are directed to submit a proposed order for all stipulations and unopposed motions. The proposed order should be attached as an exhibit.

Request for Stay

When a stay is imposed, any pending motions will automatically be DENIED without prejudice, unless otherwise stated. When the stay is lifted, any party may move to reinstate the previously pending motions. Additional briefing is not required but may be permitted.

Motions in Limine

To avoid unnecessary filings, each party should file one consolidated motion in limine instead of separate motions addressing a single evidentiary issue in each motion.

Technology Policy

Electronic devices are allowed in the courtroom to assist attorneys to review their calendars for scheduling and to assist with the presentation of evidence or argument during hearings or trial. However, devices that cause feedback or otherwise interfere with the court recording equipment may not be used at all.

Telephonic Appearance or Video Conference

Judge Weksler will generally grant a request to appear by telephone or video so long as just cause is provided.

Civil Trial Dates

Trial will be scheduled after conclusion of the settlement conference or after submission of a joint pretrial order. While the Court will try to accommodate the dates provided by the parties in their joint status report or joint pretrial order, trial will be scheduled based on the availability in this Court's calendar.

Settlement Conference

Generally, in accordance with LR 16-5, a case will be assigned to a Magistrate Judge for a settlement conference after dispositive motions have been addressed. In that event, the deadline for the proposed joint pretrial order will generally be set to follow from the settlement conference. If no dispositive motions are filed, the case will generally be referred for a settlement conference as soon as the joint pretrial order is filed. Pursuant to LR 16-2, any party can submit a written request at any time for a pretrial conference to expedite disposition of a case.

TRIAL PROCEDURES

A. Joint Pretrial Order

Unless otherwise ordered by the Court, within 30 days from the date for the completion of discovery, the parties shall file on ECF a proposed joint pretrial order, which shall include the following:

1. The full caption of the action;
2. The names, law firms, addresses, email addresses, and telephone and fax numbers of trial counsel;
3. A brief statement by plaintiff as to the basis of subject-matter jurisdiction, and a brief statement by each party as to the presence or absence of subject-matter jurisdiction. Such statements shall include citations to all statutes relied on and relevant facts as to citizenship and jurisdictional amounts;
4. A brief summary by each party of the claims and defenses that the party asserts remain to be tried, including citations to any statutes on which the party relies. A statement of the elements of each claim and defense to be tried must be included with appropriate citation to authority. Such summaries shall also identify all claims and defenses previously asserted which are not to be tried. The summaries should not recite any evidentiary matter;
5. A statement as to the number of trial days needed and regarding whether the case is to be tried with or without a jury;
6. Any stipulations or agreed statements of fact or law to which all parties consent;
7. A list of trial witnesses, indicating whether such witnesses will testify in person or by deposition, and a brief summary of the substance of each witness's testimony;
8. A designation by each party of deposition testimony to be offered in its case in chief and any counter-designations and objections by any party;
9. A list by each party of exhibits to be offered in its case in chief, with one star indicating exhibits to which no party objects on grounds of authenticity, and two stars indicating exhibits to which no party objects on any grounds.

B. Required Pretrial Filings

1. In all cases, motions addressing any evidentiary issues or other matters should be resolved *in limine*;
2. In all cases where a party believes it would be useful to the Court, a pretrial memorandum of law;
3. In jury cases, requests to charge and proposed voir dire questions; and
4. In jury cases, proposed findings of fact and conclusions of law. The proposed findings of fact should be detailed and should include citations to the proffered trial testimony and exhibits, as there may be no opportunity for post-trial submissions.

C. Filings in Opposition

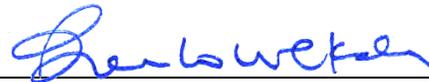
Any party may file the following documents within one week after the pretrial order, but in no event less than two days before the scheduled trial date.

1. Objections to another party's requests to charge or proposed voir dire questions;

2. Oppositions to any motion *in limine*;
3. Oppositions to any legal argument in a pretrial memorandum.

D. Trial Schedule

Trial will generally begin at 9:00 AM and end at 3:30 PM. The first week of trial will be held from Monday through Friday, with Friday as a half-day ending at 12:30 PM. However, to address matters outside the presence of the jury, parties should plan to be available on each trial day between 8:00 AM and 9:00 AM and 3:30 PM and 4:30 PM (or 12:30 PM and 1:30 PM on Fridays). This standard trial schedule may be modified for good cause. Requests to modify this standard trial schedule should be submitted at Calendar Call or before the written trial schedule is issued to jurors.



Brenda Weksler
United States Magistrate Judge