

**SUPPLEMENT TO GENERAL ORDER ON TRIAL PROCEDURES
JUDGE ROBERT D. OKUN
CIVIL CALENDAR 10
SEPTEMBER 2014**

I. GENERAL INFORMATION

Judge: Robert D. Okun

Chambers: Room 3610
Moultrie Courthouse
500 Indiana Avenue, N.W.
Washington, DC 20001

Phone: (202) 879-4602

Fax: (202) 879-4746

Email Address: JudgeOkunEserve@dcsc.gov

**Judicial Admin. Asst./
Law Clerk:** Emily Richard

Law Clerk: Anna Lashley

Courtroom Clerk: Jason Mancini

Courtroom: 317
Moultrie Building
500 Indiana Avenue, N.W.
Washington, DC 20001

Courtroom phone: (202) 879-1536

Unless otherwise directed, matters on Calendar 10 will take place in Courtroom 317. Pretrial and Settlement Conferences are conducted in Courtroom 317 or in the adjoining jury room.

II. COMMUNICATIONS WITH CHAMBERS

Except as specifically authorized in this Supplement, no party and no lawyer may contact chambers by telephone. Judge Okun's staff may not and will not provide advice of any kind about court rules, practices, or procedures. Judge Okun does not accept letters from parties or lawyers about a case. If a party needs clarification of any rule, practice, or procedure, it should file a motion.

III. MOTIONS

Consent to motions: Judge Okun strictly enforces the requirement in Rule 12-I(a) that, before a party files a motion, it must seek the consent of the other parties and include in the motion a certification that the party sought consent. If a party does not include such a certification, Judge Okun may summarily deny the motion, and if the party chooses to refile the motion with a certification, it will pay another \$20 filing fee.

The title of the motion should indicate whether it is opposed or unopposed.

Proposed order: Judge Okun strictly enforces the requirement in Administrative Order 06-17 that a party filing a motion must submit electronically to JudgeOkuneserve@dcsc.gov a proposed order in Microsoft Word. If a party does not submit a proposed order in such format, Judge Okun may summarily deny the motion, and if the party chooses to refile the motion with a proposed order, it will pay another \$20 filing fee.

Length of filings: Judge Okun discourages memoranda more than ten pages long. No party may submit a motion and memorandum more than twenty pages long without leave of Judge Okun. Judge Okun grants leave to file longer documents only in extraordinary circumstances. If a party fails to comply with these rules, Judge Okun may summarily deny the motion, and if the party chooses to refile the motion with a proposed order, it will pay another \$20 filing fee.

Reply briefs: Parties who wish to file a reply brief may do so within five business days of the filing of an opposition brief without leave of the court. No party may submit a reply to an opposition more than five pages long without leave of Judge Okun.

Motions for leave to file: A party seeking leave to file a document must submit a copy of the proposed filing with the motion.

Motions for extension of time: Except as set forth in Rule 16(b)(6), a party must file a motion requesting any extension of a deadline set by the Court.

Except in extraordinary circumstances involving unforeseen and unforeseeable events, all motions seeking to extend a deadline or continue a hearing date must be filed **at least 3** business days before that date. Any motion to reschedule a hearing must suggest alternative dates and times that are convenient to both parties.

E-Filed motions: It takes time for e-filed motions and other filings to reach Chambers. It generally takes 1-2 business days for the Clerk's Office to process filings. If a party has a question about the status of a pending motion, it should check online at www.dccourts.gov/pa or contact the Clerk's Office at (202) 879-1133.

Emergency motions: Judge Okun expects parties to request expedited action only in truly urgent situations. Parties filing emergency motions should notify chambers when they file

the motion by sending an email to JudgeOkunEserve@dcsc.gov and the other parties, with a copy of the motion and the proposed order (in an editable format) attached.

IV. DISCOVERY

Judge Okun strictly enforces the requirements in Civil Rules 26(i) and 37(a) that the parties meet for a reasonable period of time in an effort to resolve or narrow any discovery-related dispute and that discovery-related motions include a certification concerning such a meeting. If a party submits such a motion without such a certification, Judge Okun may summarily deny the motion, and if the party chooses to refile the motion with the certification, it will pay another \$20 filing fee.

V. SCHEDULING AND SETTLEMENT CONFERENCES

Scheduling and calendars: Any party or lawyer who attends a hearing where matters can reasonably be expected to be scheduled shall bring a calendar. If the person does not have his or her schedule immediately available, Judge Okun will set a schedule, and the party may later file a motion to modify the schedule if the party so chooses and pay the \$20 filing fee.

Non-party principals: Except in extraordinary circumstances with prior judicial approval, non-party principals with settlement authority must attend settlement conferences in person. Judge Okun may allow such principals from outside the Washington metropolitan area to participate by telephone. Any request to excuse a non-party principal from personal attendance should be made by motion **at least two weeks** before the date of the conference.

VI. TRIALS

A. Pretrial and trial procedures

Trial status update: On the Wednesday preceding a trial date, the parties jointly or, if mutually agreed on, through one party making a joint representation, shall call chambers and inform chambers whether the parties expect to proceed on the scheduled trial date.

Schedule: Judge Okun schedules trials to begin on Mondays at 9:30 a.m. Trials generally proceed Monday through Thursday from 9:30 a.m. to 4:45 p.m. Judge Okun generally takes one morning and one afternoon break, as well as a lunch break between approximately 1:00 and 2:00 p.m.

Mid-trial issues: If an issue arises during trial, Judge Okun encourages parties to raise it by sending an email by 8:30 a.m. of the next trial day to JudgeOkuneserve@dcsc.gov, Robert.Okun2@dcsc.gov and Robert.Okun3@dcsc.gov, with a copy to all other parties.

Exhibit index: On the first day of trial, each party must give to the courtroom clerk an exhibit summary form. Parties may obtain this form from the Clerk's Office or at <http://www.dccourts.gov/internet/documents/dcsc15r1-06.pdf>.

Custody of exhibits: During trial, the parties may leave exhibits admitted into evidence in the courtroom. After trial and until any appeal has ended or the time to appeal has run with no notice of appeal filed, each party is responsible for maintaining exhibits and other materials that it wishes to include in the record on appeal.

B. Jury selection and instructions

Before the meeting three weeks before the pretrial conference required by Rule 16(c), Judge Okun provides the parties with (1) an overview of jury selection and trial procedures and (2) a set of proposed initial and final jury instructions, and he solicits comments from the parties.

Judge Okun instructs the jury **before** closing arguments.

C. Deliberations

Throughout jury deliberations, counsel must be available on ten minutes' notice. Counsel should give the courtroom clerk a telephone number at which they can be reached.