



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
2211 UNITED STATES COURTHOUSE
75 TED TURNER DRIVE, S.W.
ATLANTA, GEORGIA 30303-3309

KEVIN P. WEIMER
DISTRICT COURT EXECUTIVE AND CLERK OF COURT

(404) 215-1610

September 30, 2025

NOTICE OF PROPOSED LOCAL RULE AMENDMENTS
AND OPPORTUNITY FOR PUBLIC COMMENT

The United States District Court for the Northern District of Georgia has approved amendments to the Court's Local Rules, along with the Joint Preliminary Report and Discovery Plan, contained in Appendix B to the Local Rules. Specifically, in response to modifications to the Federal Rules of Civil Procedure that are slated to become effective on December 1, 2025, the amended Joint Preliminary Report and Discovery Plan addresses parties' claims of privilege and protection of trial-preparation materials. Amended Local Rule 16.2 has been revised for simplicity, and amended Local Rule 67.1(C), which governs registry payments, reflects the modern importance of electronic funds transfer.

Redline and clean copies of the amendments are attached to this notice and are available for review on the Court's website at www.gand.uscourts.gov and at the clerk's office public counter in each courthouse.

Members of the bar and public are invited to submit written comments on these amendments until October 31, 2025. Please address all comments to:

Kevin P. Weimer
District Court Executive and Clerk of Court
2211 United States Courthouse
75 Ted Turner Drive, S.W.
Atlanta, Georgia 30303
LRCComments@gand.uscourts.gov

Joint Preliminary Report
and Discovery Plan, in
Appendix B to Local Rules

II. JOINT PRELIMINARY REPORT AND DISCOVERY PLAN

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
_____ DIVISION

v. : Civil Action No. _____
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Joint Preliminary Report and Discovery Plan

1. Description of Case:

(a) Describe briefly the nature of this action.

(b) Summarize, in the space provided below, the facts of this case. The summary should not be argumentative nor recite evidence.

(c) The legal issues to be tried are as follows:

(d) The cases listed below (include both style and action number) are:

(1) Pending Related Cases:

(2) Previously Adjudicated Related Cases:

2. This case is complex because it possesses one or more of the features listed below (please check):

- _____ (1) Unusually large number of parties
- _____ (2) Unusually large number of claims or defenses
- _____ (3) Factual issues are exceptionally complex
- _____ (4) Greater than normal volume of evidence
- _____ (5) Extended discovery period is needed
- _____ (6) Problems locating or preserving evidence
- _____ (7) Pending parallel investigations or action by government
- _____ (8) Multiple use of experts
- _____ (9) Need for discovery outside United States boundaries
- _____ (10) Existence of highly technical issues and proof
- _____ (11) Unusually complex discovery of electronically stored information

3. **Counsel:**

(Rev. 03/01/11 _____)

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The following individually-named attorneys are hereby designated as lead counsel for the parties:

Plaintiff:

Defendant:

4. Jurisdiction:

Is there any question regarding this Court's jurisdiction?

____ Yes ____ No

If "yes," please attach a statement, not to exceed one page, explaining the jurisdictional objection. When there are multiple claims, identify and discuss separately the claim(s) on which the objection is based. Each objection should be supported by authority.

5. Parties to This Action:

(a) The following persons are necessary parties who have not been joined:

(b) The following persons are improperly joined as parties:

(c) The names of the following parties are either inaccurately stated or necessary portions of their names are omitted:

(d) The parties shall have a continuing duty to inform the Court of any contentions regarding unnamed parties necessary to this action or any contentions regarding misjoinder of parties or errors in the statement of a party's name.

6. Amendments to the Pleadings:

Amended and supplemental pleadings must be filed in accordance with the time limitations and other provisions of Fed. R. Civ. P. 15. Further instructions regarding amendments are contained in LR 15.

(a) List separately any amendments to the pleadings that the parties anticipate will be necessary:

(b) Amendments to the pleadings submitted LATER THAN THIRTY DAYS after the Joint Preliminary Report and Discovery Plan is filed, or should have been filed, will not be accepted for filing, unless otherwise permitted by law.

7. Filing Times ~~For~~for Motions:

All motions should be filed as soon as possible. The local rules set specific filing limits for some motions. These times are restated below.

All other motions must be filed WITHIN THIRTY DAYS after the beginning of discovery, unless the filing party has obtained prior permission of the court to file later. Local Rule 7.1A(2).

(a) *Motions to Compel*: before the close of discovery or within the extension period allowed in some instances. Local Rule 37.1.

(b) *Summary Judgment Motions*: within thirty days after the close of discovery, unless otherwise permitted by court order. Local Rule 56.1.

(c) *Other Limited Motions*: Refer to Local Rules 7.2A; 7.2B, and 7.2E, respectively, regarding filing limitations for motions pending on removal, emergency motions, and motions for reconsideration.

(d) *Motions Objecting to Expert Testimony*: Daubert motions with regard to expert testimony no later than the date that the proposed pretrial order is submitted. Refer to Local Rule 7.2F.

8. Initial Disclosures:

The parties are required to serve initial disclosures in accordance with Fed. R. Civ. P. 26. If any party objects that initial disclosures are not appropriate, state the party and basis for the party's objection. NOTE: Your initial disclosures should include electronically stored information. Refer to Fed. R. Civ. P. 26(a)(1)(B).

9. Request for Scheduling Conference:

Does any party request a scheduling conference with the Court? If so, please state the issues which could be addressed and the position of each party.

10. Discovery Period:

The discovery period commences thirty days after the appearance of the first defendant by answer to the complaint. As stated in LR 26.2A, responses to initiated discovery must be completed before expiration of the assigned discovery period.

Cases in this Court are assigned to one of the following three discovery tracks: (a) zero month discovery period, (b) four months discovery period, and (c) eight months discovery period. A chart showing the assignment of cases to a discovery track by filing category is contained in Appendix F. The track to which a particular case is assigned is also stamped on the complaint and service copies of the complaint at the time of filing.

Please state below the subjects on which discovery may be needed:

If the parties anticipate that additional time beyond that allowed by the assigned discovery track will be needed to complete discovery or that discovery should be conducted in phases or be limited to or focused upon particular issues, please state those reasons in detail below:

11. Discovery Limitation and Discovery of Electronically Stored Information:

(a) What changes should be made in the limitations on discovery imposed under the Federal Rules of Civil Procedure or Local Rules of this Court, and what other limitations should be imposed?

(b) Is any party seeking discovery of electronically stored information?

_____ Yes

_____ No

If "yes,"

(1) The parties have discussed the sources and scope of the production of electronically stored information and have agreed to limit the scope of production (e.g., accessibility, search terms, date limitations, or key witnesses) as follows:

(2) The parties have discussed the format for the production of electronically stored information (e.g., Tagged Image File Format (TIFF or .TIF files), Portable Document Format (PDF), or native), method of production (e.g., paper or disk), and the inclusion or exclusion and use of metadata, and have agreed as follows:

14. Settlement Potential:

(a) Lead counsel for the parties certify by their signatures below that they conducted a Rule 26(f) conference that was held on _____, 20____, and that they participated in settlement discussions. Other persons who participated in the settlement discussions are listed according to party.

For plaintiff: Lead counsel (signature):

Other participants:

For defendant: Lead counsel (signature):

Other participants:

(b) All parties were promptly informed of all offers of settlement and following discussion by all counsel, it appears that there is now:

() A possibility of settlement before discovery.

() A possibility of settlement after discovery.

() A possibility of settlement, but a conference with the judge is needed.

() No possibility of settlement.

(c) Counsel(_____) do or (_____) do not intend to hold additional settlement conferences among themselves prior to the close of discovery. The proposed date of the next settlement conference is _____, 20____.

(d) The following specific problems have created a hindrance to settlement of this case.

1415. Trial by Magistrate Judge:

Note: Trial before a Magistrate Judge will be by jury trial if a party is otherwise entitled to a jury trial.

(a) The parties (_____) do consent to having this case tried before a magistrate judge of this Court. A completed Consent to Jurisdiction by a United States Magistrate Judge form has been submitted to the clerk of court this _____ day _____, of 20____.

(b) The parties (_____) do not consent to having this case tried before a magistrate judge of this Court.

Counsel for Plaintiff

Counsel for Defendant

SCHEDULING ORDER

Upon review of the information contained in the Joint Preliminary Report and Discovery Plan form completed and filed by the parties, the Court orders that the time limits for adding parties, amending the pleadings, filing motions, completing discovery, and discussing settlement are as set out in the Federal Rules of Civil Procedure and the Local Rules of this Court, except as herein modified:

IT IS SO ORDERED, this _____ day of _____,
20____.

UNITED STATES DISTRICT JUDGE

II. JOINT PRELIMINARY REPORT AND DISCOVERY PLAN

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
_____ DIVISION

v. : Civil Action No. _____
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Joint Preliminary Report and Discovery Plan

1. Description of Case:

(a) Describe briefly the nature of this action.

(b) Summarize, in the space provided below, the facts of this case. The summary should not be argumentative nor recite evidence.

(c) The legal issues to be tried are as follows:

(d) The cases listed below (include both style and action number) are:

(1) Pending Related Cases:

(2) Previously Adjudicated Related Cases:

2. This case is complex because it possesses one or more of the features listed below (please check):

- _____ (1) Unusually large number of parties
- _____ (2) Unusually large number of claims or defenses
- _____ (3) Factual issues are exceptionally complex
- _____ (4) Greater than normal volume of evidence
- _____ (5) Extended discovery period is needed
- _____ (6) Problems locating or preserving evidence
- _____ (7) Pending parallel investigations or action by government
- _____ (8) Multiple use of experts
- _____ (9) Need for discovery outside United States boundaries
- _____ (10) Existence of highly technical issues and proof
- _____ (11) Unusually complex discovery of electronically stored information

3. Counsel:

The following individually-named attorneys are hereby designated as lead counsel for the parties:

Plaintiff:

Defendant:

4. Jurisdiction:

Is there any question regarding this Court's jurisdiction?

____ Yes ____ No

If "yes," please attach a statement, not to exceed one page, explaining the jurisdictional objection. When there are multiple claims, identify and discuss separately the claim(s) on which the objection is based. Each objection should be supported by authority.

5. Parties to This Action:

(a) The following persons are necessary parties who have not been joined:

(b) The following persons are improperly joined as parties:

(c) The names of the following parties are either inaccurately stated or necessary portions of their names are omitted:

(d) The parties shall have a continuing duty to inform the Court of any contentions regarding unnamed parties necessary to this action or any contentions regarding misjoinder of parties or errors in the statement of a party's name.

6. Amendments to the Pleadings:

Amended and supplemental pleadings must be filed in accordance with the time limitations and other provisions of Fed. R. Civ. P. 15. Further instructions regarding amendments are contained in LR 15.

(a) List separately any amendments to the pleadings that the parties anticipate will be necessary:

(b) Amendments to the pleadings submitted LATER THAN THIRTY DAYS after the Joint Preliminary Report and Discovery Plan is filed, or should have been filed, will not be accepted for filing, unless otherwise permitted by law.

7. Filing Times for Motions:

All motions should be filed as soon as possible. The local rules set specific filing limits for some motions. These times are restated below.

All other motions must be filed WITHIN THIRTY DAYS after the beginning of discovery, unless the filing party has obtained prior permission of the court to file later. Local Rule 7.1A(2).

(a) *Motions to Compel*: before the close of discovery or within the extension period allowed in some instances. Local Rule 37.1.

(Rev. _____)

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(b) *Summary Judgment Motions:* within thirty days after the close of discovery, unless otherwise permitted by court order. Local Rule 56.1.

(c) *Other Limited Motions:* Refer to Local Rules 7.2A; 7.2B, and 7.2E, respectively, regarding filing limitations for motions pending on removal, emergency motions, and motions for reconsideration.

(d) *Motions Objecting to Expert Testimony:* Daubert motions with regard to expert testimony no later than the date that the proposed pretrial order is submitted. Refer to Local Rule 7.2F.

8. Initial Disclosures:

The parties are required to serve initial disclosures in accordance with Fed. R. Civ. P. 26. If any party objects that initial disclosures are not appropriate, state the party and basis for the party's objection. NOTE: Your initial disclosures should include electronically stored information. Refer to Fed. R. Civ. P. 26(a)(1)(B).

9. Request for Scheduling Conference:

Does any party request a scheduling conference with the Court? If so, please state the issues which could be addressed and the position of each party.

10. Discovery Period:

The discovery period commences thirty days after the appearance of the first defendant by answer to the complaint. As stated in LR 26.2A, responses to initiated discovery must be completed before expiration of the assigned discovery period.

Cases in this Court are assigned to one of the following three discovery tracks: (a) zero month discovery period, (b) four months discovery period, and (c) eight months discovery period. A chart showing the assignment of cases to a discovery track by filing category is contained in Appendix F. The track to which a particular case is assigned is also stamped on the complaint and service copies of the complaint at the time of filing.

Please state below the subjects on which discovery may be needed:

If the parties anticipate that additional time beyond that allowed by the assigned discovery track will be needed to complete discovery or that discovery should be conducted in phases or be limited to or focused upon particular issues, please state those reasons in detail below:

11. Discovery Limitation and Discovery of Electronically Stored Information:

(a) What changes should be made in the limitations on discovery imposed under the Federal Rules of Civil Procedure or Local Rules of this Court, and what other limitations should be imposed?

(b) Is any party seeking discovery of electronically stored information?

_____ Yes

_____ No

If "yes,"

(1) The parties have discussed the sources and scope of the production of electronically stored information and have agreed to limit the scope of production (e.g., accessibility, search terms, date limitations, or key witnesses) as follows:

(2) The parties have discussed the format for the production of electronically stored information (e.g., Tagged Image File Format (TIFF or .TIF files), Portable Document Format (PDF), or native), method of production (e.g., paper or disk), and the inclusion or exclusion and use of metadata, and have agreed as follows:

In the absence of agreement on issues regarding discovery of electronically stored information, the parties shall request a scheduling conference in paragraph 9 hereof.

12. Other Orders:

What other orders do the parties think that the Court should enter under Rule 26(c) or under Rule 16(b) and (c)?

13. Privileged or Protected Material

Do the parties anticipate any issues about claims for privilege or of protection with respect to trial-preparation materials?

_____ Yes

_____ No

If “yes,”

The parties have discussed their views and proposals on any such issues, including the timing and method for complying with Rule 26(b)(5)(A) and whether, if they agree on a procedure to assert the claims after production, to ask the Court to include their agreement in an order under Federal Rule of Evidence 502. The parties have agreed as follows:

14. Settlement Potential:

(a) Lead counsel for the parties certify by their signatures below that they conducted a Rule 26(f) conference that was held on _____, 20____, and that they participated in settlement discussions. Other persons who participated in the settlement discussions are listed according to party.

For plaintiff: Lead counsel (signature):

Other participants:

For defendant: Lead counsel (signature):

Other participants:

(b) All parties were promptly informed of all offers of settlement and following discussion by all counsel, it appears that there is now:

- () A possibility of settlement before discovery.
- () A possibility of settlement after discovery.
- () A possibility of settlement, but a conference with the judge is needed.
- () No possibility of settlement.

(c) Counsel() do or () do not intend to hold additional settlement conferences among themselves prior to the close of discovery. The proposed date of the next settlement conference is _____, 20____.

(d) The following specific problems have created a hindrance to settlement of this case.

15. Trial by Magistrate Judge:

Note: Trial before a Magistrate Judge will be by jury trial if a party is otherwise entitled to a jury trial.

(a) The parties () do consent to having this case tried before a magistrate judge of this Court. A completed Consent to Jurisdiction by a United States Magistrate Judge form has been submitted to the clerk of court this _____ day _____, of 20____.

(b) The parties () do not consent to having this case tried before a magistrate judge of this Court.

Counsel for Plaintiff

Counsel for Defendant

* * * * *

SCHEDULING ORDER

Upon review of the information contained in the Joint Preliminary Report and Discovery Plan form completed and filed by the parties, the Court orders that the time limits for adding parties, amending the pleadings, filing motions, completing discovery, and discussing settlement are as set out in the Federal Rules of Civil Procedure and the Local Rules of this Court, except as herein modified:

IT IS SO ORDERED, this _____ day of _____,
20____.

UNITED STATES DISTRICT JUDGE

Local Rule 16.2

LR 16.2 JOINT PRELIMINARY REPORT AND DISCOVERY PLAN

For all cases not settled at the Rule 26(f) conference, counsel ~~are required~~must ~~to complete~~ the Joint Preliminary Report and Discovery Plan form ~~prepared by the Court and~~ attached to these rules as Appendix B. *See* Fed. R. Civ. P. 26(f). If counsel cannot agree on the answers to specific items, the contentions of each party must be shown on the form. The completed form must be filed within thirty days after the appearance of the first defendant by answer or motion or within thirty days after a removed case is filed in this Court. This rule applies only to cases not exempted pursuant to Fed. R. Civ. P. 26(a)(1)(B). *Pro se* litigants and opposing counsel ~~shall~~beare permitted to file separate statements.

~~———— The Joint Preliminary Report and Discovery Plan shall include as referenced on the form:~~

~~———— (1) — A classification of the type of action, a brief factual outline of the case, a succinct statement of the issues in the case, and a listing of any pending or previously adjudicated related cases.~~

~~(2) — An indication of whether the case is complex because of the existence of one or more of the following features:~~

- ~~———— (1) — Unusually large number of parties~~
- ~~———— (2) — Unusually large number of claims or defenses~~
- ~~———— (3) — Factual issues are exceptionally complex~~
- ~~———— (4) — Greater than normal volume of evidence~~
- ~~———— (5) — Extended discovery period is needed~~
- ~~———— (6) — Problems locating or preserving evidence~~
- ~~———— (7) — Pending parallel investigations or action by government~~
- ~~———— (8) — Multiple use of experts~~
- ~~———— (9) — Need for discovery outside United States boundaries~~
- ~~———— (10) — Existence of highly technical issues and proof~~
- ~~———— (11) — Unusually complex discovery of electronically stored information~~

~~(3) — The individual names of lead counsel for each party.~~

~~———— (4) — Any objections, supported by authority, to this Court's jurisdiction.~~

~~—— (5) — The names of necessary parties to this action who have not been joined and any questions of misjoinder of parties and inaccuracies and omissions regarding the names of parties.~~

~~—— (6) — A description of any amendments to the pleadings that are anticipated and a time table for the filing of amendments.~~

~~—— (7) — Information regarding timing limitations for filing motions in the case.~~

~~—— (8) — Objections to initial disclosures, and space for the attorneys to indicate which party has objections, and the bases therefor.~~

~~—— (9) — Request for scheduling conference with the Court, if any, stating the issues that could be addressed and the position of each party.~~

~~—— (10) — Directions regarding the length of the discovery period and subjects of discovery and space for the attorney to indicate reasons, if any, why additional discovery time is needed and the subjects of discovery.~~

~~—— (11) — Discovery Limitations~~

~~(a) — Proposals and reasons in support thereof for modifying the limitations on discovery under the Federal Rules of Civil Procedure or the Local Rules of this Court.~~

~~(b) — Issues and agreements between the parties regarding discovery of electronically stored information.~~

~~(12) — Requests for additional orders from the Court.~~

~~—— (13) — A report regarding the settlement discussions required by LR 16.1, including the date; the name(s) of the lead counsel and other persons who attended; the likelihood of settlement of the case following the conference; dates for future settlement conferences between counsel; and specific problems hindering settlement of the case.~~

~~—— (14) — A statement as to whether the parties are willing to consent to trial before a magistrate judge. Consenting parties must complete and file with the clerk the~~

~~Consent to Jurisdiction by a United States Magistrate Judge form provided to all parties in the pretrial instruction packet.~~

~~———(15)—— The signatures of lead counsel for each party consenting to the submission of the Joint Preliminary Report and Discovery Plan form.~~

~~———(16)—— A scheduling order to be signed by the district judge imposing time limits for adding parties, amending the pleadings, filing motions, completing discovery, and, if appropriate, addressing settlement initiatives and referral of the case to trial before a magistrate judge, in accordance with the form submitted by counsel, except as the district judge may specifically state otherwise.~~

LR 16.2 JOINT PRELIMINARY REPORT AND DISCOVERY PLAN

For all cases not settled at the Rule 26(f) conference, counsel must complete the Joint Preliminary Report and Discovery Plan form attached to these rules as Appendix B. *See* Fed. R. Civ. P. 26(f). If counsel cannot agree on the answers to specific items, the contentions of each party must be shown on the form. The completed form must be filed within thirty days after the appearance of the first defendant by answer or motion or within thirty days after a removed case is filed in this Court. This rule applies only to cases not exempted pursuant to Fed. R. Civ. P. 26(a)(1)(B). *Pro se* litigants and opposing counsel are permitted to file separate statements.

Local Rule 67.1(C)

(C) Disbursement of Registry Funds.

(1) Generally. Withdrawal of registry funds must be authorized by Court order.

(2) Motion for Disbursement. All motions for disbursement of registry funds must specify the principal sum initially deposited, the amount(s) of principal funds to be disbursed, to whom (payee or attorney) the disbursement is to be made, and complete mailing instructions (full address and zip code of payee or attorney). Each motion must include a proposed order of disbursement.

(3) Orders of Disbursement. Before they are presented to the judge, all orders for disbursement of registry funds must be presented to a financial deputy clerk for a certification of the amount of funds deposited in the registry of the Court, including any interest earned. If counsel does not present the order to a financial deputy clerk for certification, then chambers staff must do so. Each proposed order of disbursement must contain the following language: "The clerk is authorized and directed to ~~draw a check(s) on the~~disburse funds on deposit in the registry of this Court in the principal amount of \$ ____ plus all accrued interest, minus any statutory users fees, via EFT or check payable to [name of payee] and ~~mail or deliver the check(s)~~send to [payee or attorney]." If more than one ~~check-payment~~ is to be issued on a single order, the portion of principal due each payee must be separately stated in the order.

(4) Taxpayer Identification Numbers. Social Security numbers, tax identification numbers, and mailing addresses will not be included in a proposed order of disbursement, but that information will be provided by counsel for each payee in a cover letter or other document conveyed to but not filed with the Court. ~~A W-9 (Request for Taxpayer Identification Number and Certification)~~An AO213 (Request for Vendor Information and TIN Certification) form is required for each payee.

(5) Payee Name. On all ~~checks-payments~~ drawn by the clerk on deposits made into the registry of the Court, the name of the payee must be ~~written-recorded in the payment document~~ as that name appears in the Court's order providing for disbursement.

(6) Time of Disbursement. The clerk will issue disbursements as soon after receipt of the Order for Disbursement as the business of the clerk's office allows,

except when it is necessary to allow time for a check or draft to clear or when an order is appealable. The disbursement may not be made until the time for appeal has expired.

(D) Designated and Qualified Settlement Funds. If the Court establishes or approves a “designated or qualified settlement fund” that will be held in the registry of the Court, the Court either shall approve the person named in the settlement agreement as administrator or shall designate as administrator the party that deposited the funds into the Court’s registry. *See* 26 U.S.C. § 468B and applicable Internal Revenue Service regulations, including 26 C.F.R. § 1.468B (57 Federal Register 60983-60995). The administrator shall be responsible for fulfilling all obligations of the fund relating to tax procedures, including all necessary filings and payments of taxes. If, for any reason, the order establishing the fund does not designate or approve an administrator, the party depositing the funds shall be deemed to be the administrator for the purposes of complying with the fund’s tax obligations and requirements, including the filing of necessary returns and the payment of all taxes.

(E) Disbursement of Monies Other than Registry Funds. Funds other than registry funds must be disbursed by check drawn on the Treasury of the United States. The payee's name must be written as the name appears in the disbursement voucher approved by the clerk or designated approving officer. The name of the payee in the disbursement voucher must conform to the name appearing in the clerk's records of the case to which the disbursement relates. The clerk must endeavor to note of record the given name of all individuals making deposits of monies with the clerk. In those cases where the given name appears of record, disbursement vouchers and checks thereunder shall show the full given name, additional initials, if any, and the surname of the payee.

LR 69: EXECUTION

LR 69.1 ISSUANCE OF WRITS OF EXECUTION

Unless otherwise ordered by the Court, Writs of Execution shall be prepared by the prevailing party or that party's attorney on forms made available by the clerk at the public filing counter. Writs so prepared must be approved and issued by the clerk.

(C) Disbursement of Registry Funds.

(1) Generally. Withdrawal of registry funds must be authorized by Court order.

(2) Motion for Disbursement. All motions for disbursement of registry funds must specify the principal sum initially deposited, the amount(s) of principal funds to be disbursed, to whom (payee or attorney) the disbursement is to be made, and complete mailing instructions (full address and zip code of payee or attorney). Each motion must include a proposed order of disbursement.

(3) Orders of Disbursement. Before they are presented to the judge, all orders for disbursement of registry funds must be presented to a financial deputy clerk for a certification of the amount of funds deposited in the registry of the Court, including any interest earned. If counsel does not present the order to a financial deputy clerk for certification, then chambers staff must do so. Each proposed order of disbursement must contain the following language: "The clerk is authorized and directed to disburse funds on deposit in the registry of this Court in the principal amount of \$ ____ plus all accrued interest, minus any statutory users fees, via EFT or check payable to [name of payee] and send to [payee or attorney]." If more than one payment is to be issued on a single order, the portion of principal due each payee must be separately stated in the order.

(4) Taxpayer Identification Numbers. Social Security numbers, tax identification numbers, and mailing addresses will not be included in a proposed order of disbursement, but that information will be provided by counsel for each payee in a cover letter or other document conveyed to but not filed with the Court. An AO213 (Request for Vendor Information and TIN Certification) form is required for each payee.

(5) Payee Name. On all payments drawn by the clerk on deposits made into the registry of the Court, the name of the payee must be recorded in the payment document as that name appears in the Court's order providing for disbursement.

(6) Time of Disbursement. The clerk will issue disbursements as soon after receipt of the Order for Disbursement as the business of the clerk's office allows, except when it is necessary to allow time for a check or draft to clear or when an order

is appealable. The disbursement may not be made until the time for appeal has expired.

(D) Designated and Qualified Settlement Funds. If the Court establishes or approves a “designated or qualified settlement fund” that will be held in the registry of the Court, the Court either shall approve the person named in the settlement agreement as administrator or shall designate as administrator the party that deposited the funds into the Court’s registry. *See* 26 U.S.C. § 468B and applicable Internal Revenue Service regulations, including 26 C.F.R. § 1.468B (57 Federal Register 60983-60995). The administrator shall be responsible for fulfilling all obligations of the fund relating to tax procedures, including all necessary filings and payments of taxes. If, for any reason, the order establishing the fund does not designate or approve an administrator, the party depositing the funds shall be deemed to be the administrator for the purposes of complying with the fund’s tax obligations and requirements, including the filing of necessary returns and the payment of all taxes.

(E) Disbursement of Monies Other than Registry Funds. Funds other than registry funds must be disbursed by check drawn on the Treasury of the United States. The payee's name must be written as the name appears in the disbursement voucher approved by the clerk or designated approving officer. The name of the payee in the disbursement voucher must conform to the name appearing in the clerk's records of the case to which the disbursement relates. The clerk must endeavor to note of record the given name of all individuals making deposits of monies with the clerk. In those cases where the given name appears of record, disbursement vouchers and checks thereunder shall show the full given name, additional initials, if any, and the surname of the payee.

LR 69: EXECUTION

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Unless otherwise ordered by the Court, Writs of Execution shall be prepared by the prevailing party or that party's attorney on forms made available by the clerk at the public filing counter. Writs so prepared must be approved and issued by the clerk.