

JUDGE LEE H. ROSENTHAL
December 2009

**THE ATTACHED MUST BE SERVED
WITH THE SUMMONS AND COMPLAINT
OR REMOVAL PAPERS**

These procedures apply to cases assigned to Judge Rosenthal.

The plaintiff must serve these materials and the attached form for the Order for Conference on all defendants with the summons and complaint.

A party removing a case to this court has the same obligation as a plaintiff filing an original complaint. Proof of service of these materials must be filed. A form of certificate for use in removed cases is attached at the end of these materials.

The accompanying procedures are to be used in conjunction with the Local Rules and not as a substitute for them.

David Bradley, Acting CLERK

Lisa Eddins

By _____

Lisa Eddins
Case Manager to
JUDGE LEE H. ROSENTHAL

JUDGE LEE H. ROSENTHAL
United States Courthouse
515 Rusk Street, Room 11535
Houston, Texas 77002
(713) 250-5980 (Telephone)
(713) 250-5213 (Fax)

Lisa Eddins, Case Manager
United States District Clerk
Post Office Box 61010
Houston, Texas 77208
(713) 250-5517 (Telephone)
(713) 250-5213 (Fax)
lisa_eddins@txs.uscourts.gov (e-mail)

COURT PROCEDURES

1. Contact with Court Personnel
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3. Continuances
4. Appearances
5. Motion Practice
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7. Initial Pretrial Conferences and Scheduling Order
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14. Depositions
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1. **CONTACT WITH COURT PERSONNEL**

- A. Case-related telephone or e-mail inquiries should be made to the case manager, Lisa Eddins. The telephone number is 713-250-5517; the e-mail address is lisa_eddins@txs.uscourts.gov. Inquiries should not be made to Judge Rosenthal's secretary or law clerks.
- B. Inquiries about motions and case status should be in writing unless time does not permit.
- C. Information about filed documents, orders, or docket entries should be obtained online through PACER or from the United States District Clerk's Office at telephone number (713) 250-5115 .
- D. Case-management correspondence or inquiries should be addressed to:

Lisa Eddins
Case Manager to Judge Lee H. Rosenthal
United States District Clerk
Post Office Box 61010
Houston, Texas 77208
E-mail: lisa_eddins@txs.uscourts.gov
- E. Do not address substantive issues in letters sent to the court; letters are not docketed or included in the record.
- F. Copies of urgent motions or matters that require prompt court attention may be sent to chambers, as well as filed, with a transmittal letter stating why the court's prompt attention is required.
- G. Electronic filing is required in most cases. Counsel must register to use the court CM/ECF system.

2. **EMERGENCIES**

- A. Applications for restraining orders or for other immediate relief are to be filed and a copy emailed to the case manager. Counsel must inform the case manager if the opposing party has been contacted and whether and when all parties can be available for a conference before the court. The court will not consider *ex parte* applications for restraining orders unless the requirements of Fed. R. Civ. P. 65(b) have been satisfied.
- B. Motions to extend deadlines are generally not emergencies.

3. **CONTINUANCES**

- A. Joint motions for continuances are not binding and will be granted at the court's discretion.

- B. Vacation requests will be respected if presented well in advance of a court setting.
- C. A trial will generally not be continued because a witness is unavailable. Counsel are expected to anticipate such possibilities and should be prepared to present testimony by written deposition, videotaped deposition, or by stipulation.

4. **APPEARANCES**

- A. An attorney or unrepresented litigant who appears at a hearing or conference must:
 - (1) be familiar with the case;
 - (2) have authority to bind the party; and
 - (3) be in charge for that appearance.
- B. If out-of-town counsel want to participate in a conference by telephone, a written request should be made to the case manager well in advance of conference date, with notice to other counsel of record and any unrepresented parties. The court will attempt to accommodate such requests. Telephone conferences are generally fine for scheduling conferences but often inadequate if substantive or complex issues have to be addressed.
- C. Counsel or an unrepresented litigant must promptly notify the case manager if any matter set for trial or hearing is resolved.

5. **MOTION PRACTICE**

- A. The court follows the written motion practice described in the Local Rules. Most motions will be ruled on without an oral hearing. The court will consider the motion and response after the submission date. A party requesting oral argument or a hearing on a motion must do so in writing and explain why it would be helpful. The case manager will notify counsel if the court sets a date for oral argument or other hearing.
- B. A submission date may be extended by agreement of counsel without leave of court except when the extension violates a deadline imposed by a court order entered in the case (as opposed to the submission-date deadline set by the application of the Local Rules). Counsel should immediately notify the case manager, in writing, of such an agreement. If a motion is pending and requires decision on an expedited basis or by a certain date, please advise the court in writing, setting out the reasons the motion requires prompt attention, such as an approaching docket call.
- C. The court will not hear any discovery motions unless both of the following steps occur first:
 - 1. The party wishing to make any discovery motion must arrange for a conference with the court before the preparation and submission of motion

papers. E-mail or fax Mrs. Eddins and opposing counsel to arrange for a promotion conference. Mrs. Eddins's e-mail address is lisa_eddins@txs.uscourts.gov; the fax number is (713) 250-5213; and the telephone number is (713) 250-5517. To the extent possible, the issue will be resolved on the basis of the promotion conference, without motion or response. If the court cannot resolve all or part of the issues raised without a written submission and response, the issues to be addressed and a schedule for briefs will be set in the conference.

2. Counsel for the party raising the discovery issue must advise the court, in writing, that counsel have conferred in a good-faith effort to resolve the matters in dispute but are unable to reach an agreement, or state the reason that the parties did not confer.
- D. Motions for extension of discovery must be filed far enough in advance of the deadline to enable opposing counsel to respond before the deadline.
- E. A courtesy copy of a filing longer than 75 pages should be sent to chambers.

6. BRIEFS

- A. Any brief or memorandum is limited to 25 pages unless counsel obtains leave of court for longer submissions. All briefs and memoranda must contain items (3), (4), (6), and (7) from the list below. Any brief or memorandum that has more than 10 pages of argument must contain all of the following:
- (1) a table of contents setting forth the page number of each section, including all headings designated in the body of the brief or memorandum;
 - (2) a table of citations of cases, statutes, rules, textbooks, and other authorities, alphabetically arranged;
 - (3) a short statement of the nature and stage of the proceeding;
 - (4) a statement of the issues to be ruled on by the court and a short statement, supported by authority, of the standard of review for each issue;
 - (5) a short summary of the argument;
 - (6) informative headings identifying separate sections of the argument;
- and
- (7) a short conclusion stating the precise relief sought.

- B. Copies of any affidavits, deposition testimony, or other discovery referred to must be contained in the appendix. Counsel is encouraged to include a hyperlink to cases cited in briefs filed by CM/ECF procedure.

7. **INITIAL PRETRIAL CONFERENCES AND SCHEDULING ORDERS**

Counsel must prepare and file a Joint Discovery/Case Management Plan in the form provided before the initial pretrial conference. A form of Scheduling and Docket Control Order is also attached. If the parties agree on deadlines for completing pretrial matters, they may file a proposed Scheduling and Docket Control Order before the initial pretrial conference.

The Scheduling and Docket Control Order will control the subsequent course of the case and will not be modified except by leave of court on a good-cause showing.

If new parties are joined after the Scheduling and Docket Control Order is entered, the party causing such joinder must provide copies of all orders previously entered in the case, along with the Scheduling and Docket Control Order and the court's procedures manual, to the new parties.

8. **REQUIRED PRETRIAL MATERIALS**

A. **Joint Pretrial Order**

The plaintiff is responsible for ensuring that the complete Joint Pretrial Order is filed on time. A form Joint Pretrial Order is attached. The form Order may be modified as appropriate for a particular case. Joint Pretrial Orders must be signed by all counsel and unrepresented parties.

B. **Other Required Documents**

With the filing of the pretrial order, each party must also file the following:

(1) **For All Trials and Evidentiary Hearings:**

- a. exhibit list;
- b. objections to exhibits; and
- c. witness list.

(2) **For Jury Trials**

- a. The parties must file a **single** proposed jury charge, including all instructions, definitions, and questions, with disputed items indicated and authority provided.

Each requested instruction, definition, and question, with authority, must be numbered and presented on a separate page.

Even if the parties, in good faith, cannot agree on all instructions, definitions, or questions, the parties will nonetheless submit a single proposed charge. Each disputed instruction, definition, or question is to be set out in bold type, or italics, or underlined, and identified as disputed. Each disputed item is to be labeled to show which party is requesting the disputed language and authority relating to the disputed language should be provided.

The charge must also be submitted on a CD compatible with Corel WordPerfect 11 word processing.

b. Memorandum of law.

(3) **For Nonjury Trials**

a. Proposed findings of fact and conclusions of law.

b. Memorandum of law.

9. **TRIAL SETTINGS**

- A. The court generally holds docket call the last Friday of each month. Unless counsel are notified otherwise, the court will use docket call as a final pretrial conference. All pending motions may be ruled on before or at docket call. The court maintains a two-week trailing docket during which a case is subject to call to trial on 48 hours notice.
- B. Unless an attorney has actually begun trial in another court, prior trial settings will not cause a case to be continued or passed after the court has set it for trial.
- C. If a case is not reached for trial when set, it will be reset as soon as practicable.

10. **EXHIBITS**

- A. All exhibits must be marked and exchanged among counsel *before* trial. The offering party will mark his own exhibits with the party's name, case number, and exhibit number on each exhibit to be offered.
- B. Any counsel requiring authentication of an exhibit must notify offering counsel in writing within 7 days after the exhibit is identified as a trial exhibit and made available for examination. Failure to do so may be deemed an admission of authenticity.

- C. The court will admit all exhibits listed in the Joint Pretrial Order into evidence unless opposing counsel files written objections supported by authority at least 7 days before trial.
- D. Counsel will not pass exhibits to the jury during trial without obtaining permission in advance from the court. All admitted exhibits will go to the jury during its deliberations.
- E. Counsel for each party is required to provide the court with a copy of that party's exhibits in a notebook.

11. **EQUIPMENT**

- A. Counsel tables are equipped with laptop capabilities for presentation through the projector and Elmo systems. Monitors are provided on all counsel tables, as well as on the witness stand and in the jury box. A standard size VCR is available for use. Counsel must use speakers with the laptop computer when sound is part of the presentation.
- B. Counsel must make advance arrangements with the case manager and the courthouse security to bring in additional equipment.

12. **COURTROOM PROCEDURES**

- A. **Hours:** The court's hours during trial will vary depending on the case and the needs of the parties, counsel, witnesses, jurors, and the court. Court will normally convene at 9:00 a.m. and adjourn at 5:00 p.m., recessing for lunch between 12:00 p.m. and 1:15 p.m.
- B. **Access at Other Times:** Counsel needing access to the courtroom to set up equipment or exhibits outside normal hours must arrange in advance with the case manager to have the courtroom open.
- C. **Telephones:** Telephone messages will **not** be taken by the judge's staff. Cell phones must be turned off in the courtroom.
- D. **Filing Documents:** Two copies of documents filed immediately before and during trial should be submitted to the case manager, as well as filed on the court CM/ECF system.
- E. **Attorney Conference Rooms:** Attorney conference rooms are available on request to the judge's secretary. A key will be given to counsel by the secretary for use throughout the trial, and counsel will be responsible for clearing the room of all materials and returning the key to the secretary at the end of the trial.
- F. **Decorum:**

The usual standards of courtroom behavior apply.

G. Witnesses:

- (1) Counsel are responsible for summoning witnesses into the courtroom and instructing them on courtroom decorum. Counsel may question witnesses either from counsel table or a podium. Counsel may make opening statements and closing arguments either from a lectern, standing before the jury, or facing the court.
- (2) Counsel should bear in mind the court's hours and arrange for witnesses accordingly. The court will not recess to permit counsel to call a missing witness unless he or she has been subpoenaed and has failed to appear.

H. Seating:

- (1) In civil cases, seating at counsel tables is generally determined on a first-come, first-served basis on the first day of trial.
- (2) Enter and leave the courtroom only by the front doors; do not use the court's entrance or the side entrances.

I. While the jury is deliberating, counsel are to be available promptly for jury notes or a verdict.

J. After the jury and counsel are excused, counsel may not contact jurors unless and as the court permits.

13. VOIR DIRE

The court will conduct a preliminary examination of the jury panel. Following the court's examination, each side may be allowed briefly to examine the panel. Proposed voir dire questions must be submitted as part of the Joint Pretrial Order.

14. DEPOSITIONS

- A. The court will generally accept the parties' agreement to use a deposition at trial even though the witness is available; otherwise, follow Fed. R. Civ. P. 32.
- B. Before trial, counsel must provide the case manager with a copy of any deposition to be used at trial.
- C. Counsel will designate the portions of any deposition to be read or shown by videotape by citing pages and lines in the Joint Pretrial Order. Objections to those portions (citing pages and lines) with supporting authority must be filed at least 7 days before trial.
- D. Use of videotaped depositions is permitted if counsel edit the videotapes to incorporate the court's rulings on remaining objections.

- E. In a bench trial, counsel will offer the entire deposition as a trial exhibit. In addition, counsel must attach to the front of the deposition exhibit a summary of what each party intends to prove by such testimony.

15. **SETTLEMENTS AND ORDERS OF DISMISSAL**

A. **Settlements**

- (1) Counsel are promptly to notify the case manager of a settlement of any case set for conference, hearing, or trial.
- (2) Announcement of settlement must be followed by the closing papers within thirty days.
- (3) If a suit involving a minor plaintiff is settled, counsel will jointly move for appointment of a guardian ad litem if necessary. If counsel cannot agree on a guardian ad litem, each counsel will submit the names of three proposed ad litem, and the court will make the appointment. With the motion for appointment, counsel will notify the case manager by letter and request a settlement conference.

B. **Orders of Dismissal**

Any defendant on whom service has not been effected within 120 days after the complaint is filed may be dismissed in accordance with Fed. R. Civ. P. 4.

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

_____	§	
	§	
Plaintiff(s),	§	
	§	
v.	§	CIVIL ACTION NO. H-_____
	§	
_____	§	
	§	
Defendant(s).	§	

JOINT PRETRIAL ORDER

Appearance of Counsel

List the parties, their respective counsel, and the addresses and telephone numbers of counsel (including e-mail addresses) in separate paragraphs.

Statement of the Case

Give a brief statement of the case. The court may read this statement to the jury panel during the voir dire examination. Include names, dates, and places, and a brief statement of the parties' contentions and the issues to be resolved at trial.

Jurisdiction

Briefly set out why the court has jurisdiction of the subject matter and the parties. If there is an unresolved jurisdictional question, state the problem.

Motions

List any pending motions.

The Parties' Contentions

State concisely in separate paragraphs the contentions that are necessary to the relief sought in the case. A lengthy list of every "contention" is not helpful; include only those that are an essential basis for resolving the case.

Admissions of Fact

List only those admitted facts necessary to the disposition and relief sought in the case, which require no proof.

Disputed Facts

List only those disputed facts necessary to the disposition and relief sought in the case.

Agreed Applicable Propositions of Law

State only those legal propositions not in dispute that are necessary to the disposition and relief sought in the case.

Contested Issues of Law

State briefly the disputed issues of law necessary to the disposition and relief sought in the case. A memorandum of authorities addressing only these issues must accompany the Order.

Exhibits

Each party will attach to this Joint Pretrial Order two copies of a list in the form shown by attachment A (or a similar form) of all exhibits expected to be offered. Each party will make the exhibits available for examination by the opposing parties. This rule does not apply to rebuttal exhibits, which cannot be anticipated.

All parties requiring authentication of an exhibit must notify the offering counsel in writing within 7 days after the exhibit is listed and made available to opposing parties. Failure to do so may be deemed an admission of authenticity.

The court will admit all exhibits listed in the final Joint Pretrial Order into evidence unless the opposing parties file written objections with authorities at least 7 days before trial.

The offering party will mark his own exhibits before trial to include the party's name, case number, and exhibit number on each exhibit.

Witnesses

List separately the names and addresses of witnesses who will be called and those who may be called and include a brief statement of the subject matter and substance of their testimony. If a witness is to appear by deposition, cite the inclusive pages and lines to be read. Objections to those portions (citing pages and lines) with supporting authority must be filed at least 7 days before trial.

Each party will also attach to the Joint Pretrial Order two copies of a list of witnesses' names for use only by court personnel.

Include in this section the following statement:

"If any other witnesses will be called at the trial, their names, addresses and the subject matter of their testimony will be reported to opposing counsel as soon as they are known. This restriction will not apply to rebuttal or impeachment witnesses, the necessity of whose testimony cannot reasonably be anticipated before trial."

Settlement

Include a statement as to the status of any settlement negotiations.

Trial

State:

- (a) whether the trial will be jury or nonjury;
- (b) the probable length of trial;
- (c) the availability of witnesses; and
- (d) any foreseeable logistical problems.

Additional Required Attachments

For jury trials include:

- (a) Proposed questions for the voir dire examination.
- (b) A single, joint proposed jury charge, including all instructions, definitions, and questions, separately numbered and presented on a separate page, with authority. If there are instructions, definitions, or questions as to which the parties cannot agree, the disputed language is to be set out in bold type, italics, or underlined to identify it as disputed and labeled to indicate which party is requesting the disputed language. The proposed charge must also be submitted on a CD compatible with Corel WordPerfect 11 word processing.
- (c) A memorandum of law.

For nonjury trials include:

- (a) Proposed findings of fact and conclusions of law.
- (b) Memorandum of law.

Date

LEE H. ROSENTHAL
UNITED STATES DISTRICT JUDGE

APPROVED:

Counsel for Plaintiff(s)

Date

Counsel for Defendant(s)

Date

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

	§	
	§	
Plaintiff(s),	§	
	§	
v.	§	CIVIL ACTION NO. H-_____
	§	
	§	
	§	
Defendant(s).	§	

**SCHEDULING AND
DOCKET CONTROL ORDER**

The disposition of this case will be controlled by the following schedule:

- | | | |
|----|--|---|
| 1. | | <p>MOTIONS TO ADD NEW PARTIES
The attorney causing the addition of new parties will provide copies of this Order to new parties.</p> |
|----|--|---|
- | | | |
|----|--|---|
| 2. | | <p>MOTIONS FOR LEAVE TO AMEND PLEADINGS
Parties filing motions after this deadline must show good cause.</p> |
|----|--|---|
- | | | |
|-----|--|--|
| 3a. | | <p>EXPERTS
The plaintiff (or the party with the burden of proof on an issue) will designate expert witnesses in writing and provide the report required by Rule 26(a)(2) of the Federal Rules of Civil Procedure.</p> |
|-----|--|--|
- | | | |
|-----|--|---|
| 3b. | | <p>The opposing party will designate expert witnesses in writing and provide the report required by Rule 26(a)(2) of the Federal Rules of Civil Procedure</p> |
|-----|--|---|
- | | | |
|----|--|--|
| 3. | | <p>MEDIATION/ADR
The parties are to file a joint status report with the court stating whether mediation or other form of ADR would be helpful. If not, the parties are to state the reasons in detail. If so, the parties are to state the form of ADR they think will best suit the case; whether they want to select a mediator and, if so, who they have agreed to select; when they want to mediate; and any other information relevant to entering a court order on mediation/ADR.</p> |
|----|--|--|

4. _____ **COMPLETION OF DISCOVERY**
Written discovery requests are not timely if they are filed so close to this deadline that under the Federal Rules of Civil Procedure the response would not be due until after the deadline.

5. _____ **PRETRIAL MOTIONS DEADLINE**
No motion may be filed after this date except for good cause.

6. _____ **JOINT PRETRIAL ORDER AND MOTION IN LIMINE DEADLINE**
The Joint Pretrial Order will contain the pretrial disclosures required by Rule 26(a)(3) of the Federal Rules of Civil Procedure. Plaintiff is responsible for timely filing the complete Joint Pretrial Order. Failure to file a Joint Pretrial Order timely may lead to dismissal or other sanction in accordance with the applicable rules.

7. _____ **DOCKET CALL**
Docket Call will be held at 2:00 p.m. in Courtroom 11-B, United States Courthouse, 515 Rusk, Houston, Texas. No documents filed within 7 days of the Docket Call will be considered. Pending motions may be ruled on at docket call, and the case will be set for trial as close to the docket call as practicable.

Additional orders relating to disclosures, discovery, or pretrial motions:

Signed on _____, at Houston, Texas.

Lee H. Rosenthal
UNITED STATES DISTRICT JUDGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

	§	
	§	
Plaintiff(s),	§	
	§	
v.	§	CIVIL ACTION NO. H-_____
	§	
	§	
	§	
Defendant(s).	§	

**JOINT DISCOVERY/CASE MANAGEMENT PLAN
UNDER RULE 26(f)
FEDERAL RULES OF CIVIL PROCEDURE**

Please restate the instruction before furnishing the information.

1. State where and when the meeting of the parties required by Rule 26(f) was held, and identify the counsel who attended for each party.
2. List the cases related to this one that are pending in any state or federal court with the case number and court.
3. Briefly describe what this case is about.
4. Specify the allegation of federal jurisdiction.
5. Identify the parties who disagree and the reasons.
6. List anticipated additional parties that should be included, when they can be added, and by whom they are wanted.
7. List anticipated interventions.
8. Describe class-action or collective-action issues.
9. State whether each party represents that it has made the initial disclosures required by Rule 26(a). If not, describe the arrangements that have been made to complete the disclosures.
10. Describe the proposed agreed discovery plan, including:
 - A. Responses to all the matters raised in Rule 26(f), including any agreements reached concerning electronic discovery and any disputed issues relating to electronic discovery.
 - B. When and to whom the plaintiff anticipates it may send interrogatories.

- C. When and to whom the defendant anticipates it may send interrogatories.
 - D. Of whom and by when the plaintiff anticipates taking oral depositions.
 - E. Of whom and by when the defendant anticipates taking oral depositions.
 - F. When the plaintiff (or the party with the burden of proof on an issue) will be able to designate experts and provide the reports required by Rule 26(a)(2)(B), and when the opposing party will be able to designate responsive experts and provide their reports.
 - G. List expert depositions the plaintiff (or the party with the burden of proof on an issue) anticipates taking and their anticipated completion date. See Rule 26(a)(2)(B) (expert report).
 - H. List expert depositions the opposing party anticipates taking and their anticipated completion date. See Rule 26(a)(2)(B) (expert report).
8. If the parties are not agreed on a part of the discovery plan, describe the separate views and proposals of each party.
 9. Specify the discovery beyond initial disclosures that has been undertaken to date.
 10. State the date the planned discovery can reasonably be completed.
 11. Describe the possibilities for a prompt settlement or resolution of the case that were discussed in your Rule 26(f) meeting.
 12. From the attorneys' discussion with the client, state the alternative dispute resolution techniques that are reasonably suitable, and state when such a technique may be effectively used in this case.
 13. Magistrate judges may now hear jury and nonjury trials. Indicate the parties' joint position on a trial before a magistrate judge.
 14. State whether a jury demand has been made and if it was made on time.
 15. Specify the number of hours it will likely take to present the evidence in this case.
 16. List pending motions that could be ruled on at the initial pretrial and scheduling conference.
 17. List other pending motions.
 18. List issues or matters, including discovery, that should be addressed at the conference.

19. Certify that all parties have filed the Disclosure of Interested Persons as directed in the Order for Conference and Disclosure of Interested Persons, listing the date of filing for original and any amendments.
20. List the names, bar numbers, addresses, telephone numbers, and e-mails of all counsel and unrepresented parties.

Counsel for Plaintiff(s)

Date

Counsel for Defendant(s)

Date

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

v. _____

§ _____
§ CA/CR NO.
§
§ **LEE H. ROSENTHAL**
§ JUDGE
§
§ **Lisa Eddins** _____
§ COURTROOM COURT
§ CLERK REPORTER
§
§ _____
§ PROCEEDING

EXHIBIT LIST OF

NO.	DESCRIPTION	OFFR	OBJ	DATE	
				ADMIT	N/ADM
1	_____				

2	_____				

3	_____				

4	_____				

5	_____				

6	_____				

7	_____				

8					
9					

**NOTICE OF THE RIGHT TO CONSENT TO THE
DISPOSITION OF A CIVIL CASE BY A MAGISTRATE JUDGE**

On the consent of all the parties, the United States magistrate judge of this court may conduct all proceedings in a civil case, including a jury trial and entry of a final judgment. Consent forms are available from the Clerk or the Clerk's website at www.txs.uscourts.gov. Whether to consent to the referral of a case to a United States magistrate judge is up to the parties and no negative consequence results from any party's decision not to consent. The district judge to whom your case is assigned must approve the reference of the case to a magistrate judge.

David Bradley, Acting Clerk
United States District Court
Southern District of Texas

versus

§
§
§
§
§
§
§

CIVIL ACTION

Consent to Proceed Before a Magistrate Judge

All parties to this case waive their right to proceed before a district judge and consent to have a United States Magistrate Judge conduct all further proceedings, including the trial and judgment. 28 U.S.C. § 636(c).

Order to Transfer

This case is transferred to United States Magistrate Judge

to conduct all further proceedings, including final judgment.

Date

United States District Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

_____	§	
	§	
Plaintiff(s),	§	
	§	
v.	§	CIVIL ACTION NO. H-_____
	§	
_____	§	
	§	
Defendant(s).	§	

CERTIFICATE OF SERVICE IN REMOVED ACTION

I certify compliance with the court's Order entered upon filing of the petition for removal of this action.

On _____, 20___, I served copies of the Order for Conference and Court Procedures on all other parties.

Date

Attorney for Defendant(s)