United States District Court
Southern District of Texas
Houston Division

Yvonne Y. Ho
United States Magistrate Judge

Court Procedures

The following Procedures are to be used in conjunction with, and do not supersede, other requirements specified in the Local Rules for the Southern District of Texas and the Federal Rules of Civil and Criminal Procedure. Note, however, that as of February 5, 2025, these Procedures will govern all cases referred by a U.S. District Judge for full pre-trial management, in addition to all consent cases.

Failure to comply with the Local Rules or these Procedures may result in sanctions.

Inquiries about any case pending before Judge Ho should be directed to:

Rachel Willborg
Case Manager to Judge Yvonne Ho
515 Rusk Street, Room 7525
Houston, Texas 77002
Telephone: (713) 250-5725
Email: Rachel_Willborg@txs.uscourts.gov

Last updated September 1, 2026.

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1. Contact with Court Personnel

a. All documents must be filed through the District Court's Case management/Electronic Case Filing ("CM/ECF") System. *See* Southern District Local Rule 5.1 and the District's Administrative Procedures for CM/ECF (available at www.txs.uscourts.gov). Parties who do not have counsel and are not granted access to CM/ECF may file their documents in person, at the Clerk's Office.

b. All case-related telephone and email inquiries should be directed to the Case Manager. Do not contact the Court's law clerks or the Judge.

c. Filing questions should be directed to the Clerk's Office.

d. The Case Manager will not respond to casual telephone or email inquiries about the status of motions or cases.

e. Correspondence with the Court must be sent to the Case Manager as follows:

Rachel Willborg
Case Manager to Judge Yvonne Ho
515 Rusk Street, Room 7525
Houston, TX 77002

Email: Rachel_Willborg@txs.uscourts.gov

1. All correspondence sent to the Case Manager must cc all counsel or *pro se* parties on the case. This is necessary to avoid *ex parte* communications.

2. Email correspondence with the Case Manager may be docketed at the Court's discretion.

3. Parties cannot, at any time, request relief by email to the Case Manager. Any such emails will be disregarded without notice.

4. Neither the Case Manager nor any Court personnel can provide legal advice or predict what the Court will do on a given matter.

5. In exceptional circumstances, copies of urgent documents can be hand-delivered to the Clerk's Office during regular business hours (*see* Emergencies, § 2 *infra*) or emailed to the Case Manager. Documents delivered or transmitted after 5:00 p.m. may not be reviewed until the next business day. Copies of any such documents must be transmitted to all counsel of record.

2. Emergencies

a. Applications for immediate relief must be filed electronically through the CM/ECF system. Upon filing such an application, contact the Case Manager to alert the Court. *See supra* § 1(e). Any such communication must cc opposing parties or their counsel.

b. Applications for immediate relief will be presented to the Court by the Case Manager only after counsel has either (1) affirmed that the opposing party has been contacted, and that both parties can be available for a conference before the Court, or (2) provided an explanation of why such contact has not been made.

c. Motions for extension of deadlines, including those specified in the scheduling order, are not emergencies.

3. Continuances

a. Agreements or joint motions among counsel or the parties for continuance or extensions of deadlines are not binding on the Court. Motions for continuance will be granted only at the Court's discretion.

b. The Court's trial settings are usually firm. Continuances will rarely be granted because of discovery disputes.

c. Vacation requests will be respected if they are made well in advance of a trial setting or hearing date.

d. Trial will not be continued because a witness is unavailable. Counsel must anticipate such possibilities.

4. Appearances and Conferences

a. Counsel cannot appear at hearings or conferences unless they are listed as an attorney of record on the docket sheet. Merely signing a filing does not constitute an appearance. Counsel must ensure that they have properly appeared and are properly listed on the docket sheet.

b. An attorney who appears at a hearing or conference must

1. be familiar with the case;

2. be prepared to argue any pending motion and to discuss any anticipated motion; and

3. have authority to bind the client.

c. **Appearing by telephone**

1. No counsel can appear by telephone at the initial pretrial and scheduling conference. Unless counsel or the parties prefer otherwise, initial conferences will be conducted by videoconference.

2. Out-of-town counsel wishing to appear by telephone at other conferences or hearings must submit a written request by email to the Case Manager as far in advance of the conference as reasonably possible. *See supra* § 1(e). The Court will accommodate such requests, if feasible. The Court prefers, however, to set dispositive or contested motions for in-person or video hearings.

3. Counsel appearing by phone must ensure they have a clear connection. Remain on mute unless you are speaking.

4. Failure to appear when notified at a setting may subject an attorney or party to sanctions, including dismissal for want of prosecution or other appropriate order or judgment.

d. ***Pro hac vice* motions**

1. Motions to appear *pro hac vice* must comply with all requirements in Local Rule 83.1(I).

2. Motions for admission *pro hac vice* must include an averment that counsel have familiarized themselves with the Local Rules of the Southern District of Texas and these Procedures.

3. Do not seek *pro hac vice* admission for an attorney located within the Houston area.

5. Motion Practice

a. **General guidelines.** The Court follows the written motion practice described in the Local Rules.

b. **Mandatory pre-motion conference for discovery and scheduling disputes.** Most discovery and scheduling disputes can—and should—be resolved by counsel and parties without court intervention. Compromise is encouraged.

If the parties cannot reach an agreement on discovery or scheduling issues despite conferring in good faith, they may seek a conference with the Court by filing a joint letter—labeled as motion for pre-motion conference—that cannot exceed three pages, identifying the disputes and issues to be addressed. *See supra* § 1(e). This is not a brief and should not set out case law or argument. The letter also must specify the date, time, and place

of the parties' discussions, the result of those discussions, and the names of all counsel or *pro se* parties who participated.

The Court may opt to resolve the issues based on the letter alone or convene a pre-motion conference to address them. Either way, the Court will determine whether written submissions are necessary and, if so, the schedule for filing them. Parties cannot file motions seeking relief on discovery or scheduling issues without engaging in this pre-motion conference process.

c. **Sealed documents.**

1. ***General procedure.*** Any party who wishes to file any document under seal may do so provisionally, but the party must also contemporaneously submit a motion requesting leave to file the document under seal. Upon resolving the motion for leave to file under seal, the Court will determine whether the document should remain under seal, either in whole or part.

2. ***Redacted versions.*** Where warranted, the Court may direct a party to file a public, redacted version of the document.

d. **Specific requirements for motions/briefs.**

1. ***No separate memorandum of law.*** All motions must include the arguments and relief sought. Do not file a separate memorandum of law.

2. ***Proposed order.*** All motions, except those for summary judgment, must be accompanied by a separate proposed order. Do not include the word "proposed" in the title of your proposed order.

3. ***Mandatory contents for briefs.*** Except for habeas corpus/prisoner petitions and Social Security appeals, all

briefs exceeding 10 pages in length must include the following sections, and in the following order:

- table of contents;
- table of authorities;
- statement of issues;
- standard of review;
- summary of the argument;
- argument, complete with descriptive headings;
- a short conclusion stating the precise relief sought; and
- certificates, *see* § 5(a)(v), *infra*.

4. ***Format and length***

i. **Format.** All briefs must be in 13-point proportionately spaced font for text, with 12-point font for footnotes, double-spaced with one-inch margins, and full-justified.

Minimize your use of footnotes. Do not put citations to authorities or exhibits in footnotes. Those must be in the body of the document.

ii. **Length—word count limitation.** Primary briefs cannot exceed 6,500 words, and reply briefs are limited to 2,500 words. The word count limit includes headings and footnotes, but excludes the caption of the case, title of the document, table of contents, table of authorities, signature blocks, and certificates.

5. ***Certificates***

i. **Certificate of conference.** Except for summary judgment motions, all motions must contain a certificate of conference stating that counsel and *pro se* parties have conferred regarding the substance of the relief requested, and stating whether the requested relief is opposed. If the movant was unable to obtain a response, the certificate of conference must reflect that the movant made at least two attempts to ascertain whether the relief is opposed and detail the specific attempts to obtain a response (i.e., number of attempts, method of communication used, and date and time of attempts).

ii. **Certificate of service.** All filings must include a certificate of service stating the manner that the filing was served on all other parties.

iii. **Certificate of compliance with word-count limitation.** All briefs must include a certificate of compliance that states the number of words in the filing, including headings and footnotes, but excluding the portions of the filing exempted from the word-count limitation. *See supra* § 5(a)(4)(ii).

iv. **Failure to include certificates.** A filing that does not include all required certificates will be stricken.

e. **Deadlines for responses and replies**. Responses to motions, if any, must be filed before the motion is submitted to the Court on the 21st day after the motion is filed. Any reply must be filed no later than seven days after the response was filed. No further briefing is permitted without leave of Court. The Court disfavors requests for further briefing.

When circumstances dictate, however, the Court may consider and rule on a motion before the deadline for a response has expired.

f. **Oral argument opportunities**. The Court invites all counsel to request oral hearings on motions. The Court also encourages more experienced counsel and their clients to allow less experienced attorneys to have speaking roles in court, particularly if those attorneys drafted or contributed significantly to the underlying motion or response. When deciding whether to grant a request for an oral hearing on a motion that typically would be resolved on the briefs alone, the Court will take into consideration whether convening a hearing would provide an opportunity for a less experienced attorney to present argument.

6. Initial Pretrial Conferences and Scheduling Orders

a. **Initial conferences**. Refer to Local Rule 16.1. Comply with general procedures for conferences. *See supra* § 4. The initial conference will be held by videoconference unless a party timely requests an in-person conference.

The Court will enter a scheduling order at the initial conference. In addition, counsel and any pro se parties should be prepared to discuss any pending motions.

b. **Joint Discovery/Case Management Plan**. Use the form available at https://www.txs.uscourts.gov/sites/txs/files/jdcmp.pdf. All parties must sign the plan, which the plaintiff must file. Include a proposed scheduling order that uses Form A attached to these procedures.

7. Required Pretrial and Trial Materials

a. **Joint pretrial order**. A template for the joint pretrial order is attached as Form B. Include all materials and information specified in that form.

1. Although all parties must work together to prepare the joint pretrial order, the plaintiff bears the responsibility to manage everyone's joint efforts. The joint pretrial order must be filed by the deadline specified in the Court's scheduling order.

2. Plaintiff must file the joint pretrial order. If the plaintiff fails to do so, then the defendant must file the defendant's portions of the document in the prescribed format.

3. Failure to timely file a joint pretrial order will subject counsel and parties to sanctions that could include dismissal for want of prosecution, other relief, or both. This includes parties appearing *pro se*.

b. **Other required documents**

1. ***Information concerning evidence and issues for trial.*** On the same day that the joint pretrial order is filed, each party must file a separate copy of the following documents:

- exhibit list;
- objections to another party's proposed exhibits, explaining the basis for the objection;
- witness list;
- designations of deposition excerpts;
- memorandum of law on all contested legal issues;
- proposed questions for the jury panel; and
- motions in limine. Responses to motions in limine must be filed no later than seven days after the joint pretrial order is filed.

2. ***Jury charge and verdict form.*** For jury trials, the parties must file a single, joint proposed jury charge and separate

joint proposed verdict form along with the joint pretrial order.

i. Every requested instruction, definition, and question must be numbered and substantiated (in footnotes) with authority. Identify any modifications to language from pattern jury charges.

ii. Every disputed instruction, definition, or question must be set out in bold type, underlined text, or italics (not in a contrasting font color). For all disputed items, include footnotes that identify (a) which party is requesting them; and (b) the opposing party's basis for disputing their inclusion.

iii. Email the Case Manager electronic copies of the proposed jury charge and verdict form, in Microsoft Word. *See supra* § 1(e).

3. ***Non-jury trials.*** Each party must file proposed findings of fact and conclusions of law with the joint pretrial order. This document must, at minimum, address (a) the facts and evidence relevant to each cause of action and asserted defense; and (b) the legal authority, complete with citations, supporting the party's positions.

4. ***Trial notebooks and exhibit binders.*** At least four days before the start of trial, the parties must jointly submit two sets of each of the following, printed double-sided, placed in binders of 4-inches or less, and complete with an index and corresponding tabs:

- the joint pretrial order;
- the parties' exhibit lists, witness lists, deposition designations, and the joint proposed jury charge and verdict form or proposed findings of fact or conclusions of law, whichever is applicable; and

- the parties' exhibits.

8. Trial Settings

a. The Court generally holds docket call the first Friday of each month. At docket call, parties should be prepared to address all pending motions and all disputed issues identified in the joint pretrial order and related filings.

b. The Court may set a separate final pretrial conference before trial begins.

c. Unless counsel has commenced trial in another court, the Court will not continue a previously scheduled trial setting.

9. Trial exhibits

a. **Marking and exchanging exhibits**. All exhibits must be pre-marked with the party's name, case number, and exhibit number. Exhibits must be exchanged between the parties/counsel before the joint pretrial order is filed.

b. **Authentication objections**. Counsel requiring authentication of an opposing party's exhibits must notify the opponent in writing within the time required by the Local Rules.

c. **Objections to exhibits**. Unless the Court otherwise directs, a party may offer in evidence any exhibits listed in the joint pretrial order unless the opposing party has filed specific written objections supported by authority at least 7 days before trial.

The Court endeavors to resolve objections to exhibits before trial begins. The Court will also pre-admit exhibits.

d. **Copies of exhibits.** As noted *supra*, § 7(b)(4), the parties must provide the Court with two complete sets of their trial exhibits.

e. **Trial procedure for exhibits.**

1. Counsel must identify all exhibits at trial before they will be received in evidence.

2. Only exhibits admitted and used during trial will go to the jury during deliberations. Documents that were pre-admitted but not actually used at trial will not be submitted to the jury.

3. Counsel cannot pass exhibits to the jury during trial without obtaining advance permission from the Court.

4. Counsel are responsible for monitoring and reviewing the completeness and organization of admitted exhibits at the end of each trial day, and at the close of evidence. Court personnel will not take custody of the exhibits during trial.

f. **Disposition of exhibits**. Review Local Rule 79.2 regarding disposition of exhibits after trial.

10. Voir Dire

a. The Court will conduct a preliminary examination of the jury panel.

b. Following the Court's examination, each side usually will be allowed to examine the panel briefly, provided that the proposed *voir dire* questions were properly and timely submitted on the same date as the joint pretrial order. *See supra* § 7(b)(i).

11. Settlements

a. **Requests for mediation.** The parties are encouraged to request mediation. For consent cases, and upon request, the Court can refer the case to mediation before a different Magistrate Judge.

b. **Notifying the Court.** Upon reaching a settlement, counsel and any parties not represented by counsel must immediately notify

the Case Manager, in writing. *See supra* § 1(e). Upon receiving notice that the entire case is settled, the Court may enter a conditional order of dismissal.

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

_____,	§	
	§	
Plaintiff(s),	§	Case No. 4:__-cv-___
	§	
v.	§	
	§	
_____,	§	
	§	
Defendant(s).	§	
	§	

PROPOSED SCHEDULING ORDER

1. _____ **AMENDMENTS TO PLEADINGS AND ADDITION OF NEW PARTIES**
Party requesting joinder will furnish a copy of this scheduling order to new parties.

EXPERTS

2a. _____ Deadline for party with burden of proof on any issue to designate experts and provide any reports under Rule 26(a)(2)(B).

2b. _____ Deadline for response experts and related Rule 26(a)(2)(B) reports.

DISCOVERY

3. _____ The parties may, by agreement, continue discovery beyond the deadline.

MOTIONS DEADLINE

4. _____ All dispositive and non-dispositive motions (except motions in limine) are due by this date

		This deadline cannot be changed without leave of court.
		JOINT PRETRIAL ORDER
5.	To be determined by the Court	The plaintiff is responsible for filing the pretrial order on this date. Motions in limine must also be filed by this date.
6.	To be determined by the Court	**DOCKET CALL** at 1:30 p.m. in Courtroom 704.
7.	To be determined by the Court	**TRIAL** begins at 9:00 a.m. in Courtroom 704.

The Clerk shall enter this Order and provide a copy to all parties.

SIGNED on _____, 2023, at Houston, Texas.

_____

Yvonne Y. Ho
United States Magistrate Judge

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

_____,	§	
	§	
Plaintiff(s),	§	
	§	Case No. 4:__-cv-_____
v.	§	
	§	
_____,	§	
	§	
Defendant(s).	§	
	§	

JOINT PRETRIAL ORDER

Appearance of Counsel

List the parties and their respective counsel. Include the addresses, email address, and telephone numbers of counsel or any *pro se* parties.

Statement of the Case

Include a brief agreed statement of the case that the Court may read to the jury panel to ascertain whether the panel is acquainted with the facts or parties to the case. Include names, dates, and places.

Jurisdiction

Briefly explain why the Court has jurisdiction over the subject matter of the case and the parties. Identify any unresolved jurisdictional questions.

Motions

List any pending motions, as well as the responses, replies, or objections.

The Parties' Contentions

In separate paragraphs, state concisely what each party claims.

Admissions of Fact

List all facts that the parties stipulate and agree are undisputed.

Contested Issues of Fact

List all disputed factual issues that are necessary to the final disposition of this case.

Agreed Applicable Propositions of Law

List all legal propositions that are not in dispute.

Contested Issues of Law

Briefly state the disputed legal issues. Separately, each party (or side) must file a memorandum of law that addresses these issues in greater depth.

Exhibits and Exhibit Lists

Each party must attach two copies of a list (*see* Attachment A for sample form) of all exhibits expected to be offered. Each party must make the exhibits available for examination by the opposing parties.

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. *See* S.D. Tex. L.R. 44.1.

At the Court's discretion, exhibits listed in the final Joint Pretrial Order may be admitted into evidence unless the opposing party files written objections, supported by authority, at least 7 days before trial.

The offering party must mark its 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 description 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 presented and indicate whether the testimony will be offered in video form. Objections to the proposed designations (citing pages and lines) must include supporting authority must be filed at least 7 days before trial.

If any other witnesses are to be called at trial, their names, addresses, and the subject matter of their testimony must be reported to opposing counsel as soon as they are known. This restriction does not apply to a purely rebuttal or impeaching witness, but only if that witness's necessity or testimony could not reasonably have been anticipated before trial.

Settlement

Include a statement explaining whether all settlement efforts have been exhausted and whether the case can reasonably be expected to settle.

Trial

Provide the following information:

(a) whether this is a jury or non-jury trial;
(b) the probable length of trial; and
(c) the availability of witnesses.

Additional Required Attachments

Motions in limine. State whether any party is filing a motion in limine. (Note that all motions in limine must filed along with the Joint Pretrial Order.)

Jury trials. For jury trials, submit the following:

(a) proposed questions for the venire panel;

(b) proposed jury instructions, definitions—with each instruction and definition numbered, presented on a separate page, and supported by citations to authority—and a separate proposed verdict form; and

(c) memorandum of law.

Non-jury trials. For bench trials, submit proposed findings of fact and conclusions of law.

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

_____,	§	
	§	
Plaintiff(s),	§	
	§	Case No. 4:__-cv-___
v.	§	
	§	
_____,	§	
	§	
Defendant(s).	§	
	§	

JOINT EXHIBIT LIST
[or _____'s EXHIBIT LIST]

No.	Description	Offer	Obj.	Date Admitted	Date Not Admitted

ATTACHMENT A to FORM B