

Proposed Amendment to Local Rule 7

MOTIONS TO DISMISS

Motions to Dismiss for Failure to State a Claim or for Judgment on the Pleadings.

No motion to dismiss for failure to state a claim or counterclaim under Federal Rule of Civil Procedure 12(b)(6), or motion for judgment on the pleadings on a claim or counterclaim under Federal Rule of Civil Procedure 12(c), will be considered or decided unless the moving party includes a certification that, before filing the motion, the movant notified the opposing party of the issues asserted in the motion and the parties tried but could not agree that the pleading deficiency could be cured in any part by a permissible amendment offered by the pleading party. The movant may comply with this rule through personal, telephonic, or written notice of the issues it intends to assert in a motion to dismiss. A motion that does not contain the required certification may be stricken without further notice.