

**SUPPLEMENT TO GENERAL ORDER ON TRIAL PROCEDURES  
JUDGE STUART G. NASH  
CIVIL CALENDAR 11  
APRIL 2014**

**I. GENERAL INFORMATION**

**Judge:** Stuart G. Nash

**Chambers:** Room 1520  
Moultrie Courthouse  
500 Indiana Avenue, N.W.  
Washington, DC 20001

**Phone:** (202) 879-0727

**Fax:** (202) 879-0725

**Email Address:** JudgeNasheserve@dcsc.gov

**Judicial Admin. Asst:** Alex Portis

**Law Clerk:** Christine Tschiderer

**Courtroom Clerk:** TBD

**Courtroom:** A-47  
Building A  
515 Fifth Street, N.W.  
Washington, DC 20001

**Courtroom phone:** (202) 879-2847

Unless otherwise directed, matters on Calendar 11 will take place in Courtroom A-47. Pretrial and Settlement Conferences are conducted in Courtroom A-47 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 Nash's staff may not and will not provide advice of any kind about court rules, practices, or procedures. Judge Nash 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 Nash strictly enforces the requirement in Rule 12-I(a) that, before a party files a motion, it must seek the consent of other parties and include in the motion a certification that the party sought consent. If a party does not include such a certification, Judge Nash 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. Judge Nash generally grants consent motions.

**Proposed order:** Judge Nash strictly enforces the requirement in Administrative Order 06-17 that a party filing a motion must submit electronically to JudgeNasheserve@dcsc.gov a proposed order in a format that can be edited (generally Word or Word Perfect). If a party does not submit a proposed order in such format, Judge Nash 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 Nash discourages memoranda more than ten pages long. No party may submit a motion and memorandum more than fifteen pages long without leave of Judge Nash. Judge Nash grants leave to file longer documents only in extraordinary circumstances. If a party fails to comply with these rules, Judge Nash 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.

**Consolidated motions:** A party (or multiple parties represented by the same lawyer, such as an employer and employee defendants) should ordinarily raise in one motion all the grounds for the relief they seek. For example, a party should file one summary judgment motion or one motion *in limine* if the party seeks summary judgment on multiple grounds or pretrial rulings on multiple issues. The party (or parties) may file with the consolidated motion a motion for leave to file a brief that exceeds the Court's usual page limit to the extent that more pages are needed to address multiple issues. Judge Nash ordinarily grants such motions because consolidated motions are more efficient and require fewer total pages than separate motions. Judge Nash may deny separate motions to the extent they avoid the usual page limit.

**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 Nash.

**Motions for leave to file:** Except in extraordinary circumstances, a party seeking leave to file a document should submit a copy of the proposed filing with the motion.

**Motions for extension of time:** Stipulations between parties or lawyers are not effective to change deadlines set by the Court. To extend any such deadline, a party must file a motion requesting the extension.

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](http://www.dccourts.gov/pa) or contact the Clerk's Office at (202) 879-1133. If a party contacts chambers, that party will be told only that Judge Nash rules on any pending motion as promptly as possible.

**Emergency motions:** Judge Nash 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 [JudgeNasheserve@dcsc.gov](mailto:JudgeNasheserve@dcsc.gov) and other parties, with a copy of the motion and the proposed order (in an editable format) attached.

#### **IV. DISCOVERY**

Judge Nash 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 advance consultation. If a party submits such a motion without such a certification, Judge Nash 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. Judge Nash, and the courtroom clerk, will not delay setting a schedule to give anyone an opportunity to contact the person's office. If the person does not have his or her schedule immediately available, Judge Nash 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 Nash 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 Nash schedules trials to begin on Mondays at 9:00 a.m. Trials generally proceed Monday through Thursday from 9:30 a.m. to 4:45 p.m. Judge Nash 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 Nash encourages parties to raise it by sending an email by 8:30 a.m. of the next trial day to JudgeNasheserve@dcsc.gov and stuart.nash3@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 should be part of the record on appeal.

## **B. Jury selection and instructions**

Parties must comply with the requirements of Rule 16 in all respects, including inclusion of proposed voir dire questions and jury instructions in the joint pre-trial statement. Issues regarding voir dire and jury instructions may be addressed at the pre-trial conference.

Following the pre-trial conference, and approximately two weeks before trial, Judge Nash will send to the parties a set of proposed voir dire questions and jury instructions, which will reflect any discussions at the pre-trial conference. The parties should be prepared, on the morning of trial, to raise any objections to these proposed voir dire and jury instructions.

Judge Nash 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 where they can be reached