



Proposed Amendments to Local Rules

(Page numbers refer to those located in the upper right-hand-corner of document.)

A. Local Rules Containing Proposed Orders Language

1. LR 7.1
 - i. Redline – pages 1-2
 - ii. Final – pages 3-4
2. LR 49.1
 - i. Redline – pages 5-6
 - ii. Final – pages 7-8
3. LR 67.1
 - i. Redline- pages 9-11
 - ii. Final – pages 12-13
4. LR 67.2
 - i. Redline – pages 14-15
 - ii. Final – page 16

B. LR 67.1, LR 67.2, new Registry Deposit Information Form, and Withdrawal Payee Information Form

1. LR 67.1
 - i. Redline – pages 9-11
 - ii. Final – pages 12-13
2. LR 67.2
 - i. Redline – pages 9-11
 - ii. Final – pages 12-13
3. New Registry Deposit Information Form – page 17
4. Withdrawal Payee Information Form
 - i. Redline – pages 18-19
 - ii. Final – page 20

C. Abrogate LR 83.2, Free Press Fair Trial Provisions

1. Redline – pages 21-25
2. Final – page 26

D. Abrogate all Local Rule Forms – *link provided to the current LR Form that is being proposed to be abrogated*

1. [LR Form 1](#)
2. [LR Form 2](#)
3. [LR Form 3](#)
4. [LR Form 4](#)
5. [LR Form 5](#)
6. [LR Form 6](#)

**E. LR 26.1, Conferences of the Parties Under Fed. R. Civ. P. 26(f); Report;
Protective Orders**

1. Redline – pages 27-28
2. Final – pages 29-30

F. Stipulation for Protective Order Form – pages 31-36

LR 7.1 CIVIL MOTION PRACTICE

* * * *

(b) Nondispositive Motions. Unless the court orders otherwise, all nondispositive motions must be heard by the magistrate judge. Before filing a nondispositive motion, a party must contact the magistrate judge’s courtroom deputy to schedule a hearing. After a party obtains a hearing date, the parties may jointly request that the hearing be canceled. If the court cancels the hearing — whether at the parties’ joint request or on its own — the parties must nonetheless file and serve their motion papers by the deadlines that would have applied if the hearing had not been canceled.

(1) Moving Party; Supporting Documents; Time Limits. At least 14 days before the date of a hearing on a nondispositive motion, the moving party must file and serve the following documents simultaneously:

- (A) ~~file and serve the following documents:~~
- ~~(i)~~ motion;
- ~~(ii)~~ notice of hearing;
- ~~(iii)~~ memorandum of law;
- ~~(iv)~~ any affidavits and exhibits; ~~and~~
- ~~(v)~~ meet-and-confer statement, ~~— (unless later filing is permitted under LR 7.1(a)(1)(A););~~ and
- ~~(B)~~ ~~provide to chambers and serve a~~ (F) proposed order.

* * * *

(c) Dispositive Motions. Unless the court orders otherwise, all dispositive motions must be heard by the district judge. Before filing a dispositive motion, a party must contact the district judge’s courtroom deputy. The courtroom deputy will either schedule a hearing or instruct the party when to file its motion and supporting documents. If a hearing is scheduled, the parties may jointly request that the hearing be canceled. If the court cancels the hearing — whether at the parties’ joint request or on its own — the parties must nonetheless file and serve their motion papers by the deadlines that would have applied if the hearing had not been canceled.

(1) Moving Party; Supporting Documents; Time Limits. At least 42 days before the date of a hearing on a dispositive motion — or, if no hearing has been scheduled, as instructed by the courtroom deputy — the moving party must file and serve the following documents simultaneously:

- (A) ~~file and serve the following documents:~~
- ~~(i)~~ motion;
- ~~(ii)~~ notice of hearing;
- ~~(iii)~~ memorandum of law;
- ~~(iv)~~ any affidavits and exhibits; ~~and~~
- ~~(v)~~ meet-and-confer statement, if required under LR 7.1(a), ~~and~~
 (unless later filing is permitted under LR 7.1(a)(1)(A)); and
- ~~(B)~~ ~~provide to chambers and serve a~~ (F) proposed order.

* * * *

(I) Affidavits and Exhibits; ~~Proposed Orders.~~

~~(1) Affidavits and Exhibits.~~ Parties must not file affidavits or exhibits as attachments to a memorandum ~~that they support.~~ Instead, ~~such~~ affidavits and exhibits must be filed separately. Exhibits must be accompanied by an index — ~~either~~ in the form of either a supporting affidavit or ~~of~~ a separate title page — that identifies the exhibits.

~~(2) Proposed Orders.~~ ~~Parties must not file proposed orders on the court's ECF system. Instead, proposed orders must be emailed to chambers and served in accordance with the procedures set forth in the court's most recent civil ECF Guide.~~

[Adopted effective February 1, 1991; amended November 1, 1996; amended January 3, 2000; amended January 1, 2004; amended May 17, 2004; amended May 16, 2005; amended September 24, 2009; amended December 1, 2009; amended July 23, 2012; amended _____, 2017]

2017 Advisory Committee's Note to LR 7.1

The language of LR 7.1 has been amended to instruct parties to file proposed orders on ECF with their corresponding motion papers. Before this change, proposed orders were submitted to chambers via email.

LR 7.1 CIVIL MOTION PRACTICE

* * * *

(b) Nondispositive Motions. Unless the court orders otherwise, all nondispositive motions must be heard by the magistrate judge. Before filing a nondispositive motion, a party must contact the magistrate judge's courtroom deputy to schedule a hearing. After a party obtains a hearing date, the parties may jointly request that the hearing be canceled. If the court cancels the hearing — whether at the parties' joint request or on its own — the parties must nonetheless file and serve their motion papers by the deadlines that would have applied if the hearing had not been canceled.

(1) Moving Party; Supporting Documents; Time Limits. At least 14 days before the date of a hearing on a nondispositive motion, the moving party must file and serve the following documents simultaneously:

- (A) motion;
- (B) notice of hearing;
- (C) memorandum of law;
- (D) any affidavits and exhibits;
- (E) meet-and-confer statement (unless later filing is permitted under LR 7.1(a)(1)(A)); and
- (F) proposed order.

* * * *

(c) Dispositive Motions. Unless the court orders otherwise, all dispositive motions must be heard by the district judge. Before filing a dispositive motion, a party must contact the district judge's courtroom deputy. The courtroom deputy will either schedule a hearing or instruct the party when to file its motion and supporting documents. If a hearing is scheduled, the parties may jointly request that the hearing be canceled. If the court cancels the hearing — whether at the parties' joint request or on its own — the parties must nonetheless file and serve their motion papers by the deadlines that would have applied if the hearing had not been canceled.

(1) Moving Party; Supporting Documents; Time Limits. At least 42 days before the date of a hearing on a dispositive motion — or, if no hearing has been scheduled, as instructed by the courtroom deputy — the moving party must file and serve the following documents simultaneously:

- (A) motion;
- (B) notice of hearing;

- (C) memorandum of law;
- (D) any affidavits and exhibits;
- (E) meet-and-confer statement, if required under LR 7.1(a) (unless later filing is permitted under LR 7.1(a)(1)(A)); and
- (F) proposed order.

* * * *

(I) Affidavits and Exhibits. Parties must not file affidavits or exhibits as attachments to a memorandum. Instead, affidavits and exhibits must be filed separately. Exhibits must be accompanied by an index—in the form of either a supporting affidavit or a separate title page—that identifies the exhibits.

[Adopted effective February 1, 1991; amended November 1, 1996; amended January 3, 2000; amended January 1, 2004; amended May 17, 2004; amended May 16, 2005; amended September 24, 2009; amended December 1, 2009; amended July 23, 2012; amended ____, 2017]

2017 Advisory Committee's Note to LR 7.1

The language of LR 7.1 has been amended to instruct parties to file proposed orders on ECF with their corresponding motion papers. Before this change, proposed orders were submitted to chambers via email.

LR 49.1 FILING DOCUMENTS UNDER SEAL IN CRIMINAL CASES

* * * *

(d) Documents Requiring a Motion to Seal. A document not listed in LR 49.1(c) may not be filed under seal except by order of the court.

(1) *Motion to seal.* A party moving to seal a document not listed in LR 49.1(c) must first file the document under temporary seal and then, after a docket number is assigned, must file:

(A) a publicly filed motion that does not disclose the information filed under temporary seal;

(B) a memorandum of law, which may be filed under temporary seal, and which must:

(i) identify by docket number and describe the document filed under temporary seal;

(ii) explain why the document should remain under seal;

(iii) address whether the document may be redacted; and

(iv) propose a specific date when the document will be unsealed;

(C) any supporting affidavits or exhibits, which may be filed under temporary seal; and

(D) if applicable, a redacted version of the document, which will be publicly filed if the motion to seal is granted, and which prominently identifies:

(i) that it is a redacted version of a sealed document; and

(ii) the docket number of that sealed document.

(2) *Proposed Order.* A moving party must ~~provide to chambers and serve~~[file](#) a proposed order sealing the document and identifying a specific date the document will be unsealed.

* * * *

(f) Extending the Time a Document Is Sealed. The court may extend the time a document is sealed on its own motion or on a party's motion. While a party's motion is pending, the clerk must not unseal the document.

(1) *Motion to extend.* At any time before a document is scheduled to be unsealed, a party moving to extend the time the document is sealed must file the following, all of which may be filed under seal:

- (A) a motion;
- (B) a memorandum of law which must:
 - (i) identify by docket number and describe the document filed under seal;
 - (ii) explain why the document should remain under seal; and
 - (iii) propose a specific date when the document will be unsealed; and
- (C) any supporting affidavits or exhibits.

(2) *Proposed Order.* A moving party must ~~provide to chambers and serve file~~ a proposed order continuing the sealing of the document and identifying a specific date the document will be unsealed.

(3) *Order extending seal.* The order extending the time a document is sealed must direct the clerk to unseal the document on a specific date.

[Adopted effective July 20, 2015; amended May 16, 2016; [amended ____, 2017](#)]

[2017 Advisory Committee Note to LR 49.1](#)

[The language of LR 49.1 has been amended to instruct parties to file proposed orders on ECF with their corresponding motions. Before this change, proposed orders were submitted to chambers via email.](#)

LR 49.1 FILING DOCUMENTS UNDER SEAL IN CRIMINAL CASES

* * * *

(d) Documents Requiring a Motion to Seal. A document not listed in LR 49.1(c) may not be filed under seal except by order of the court.

(1) *Motion to seal.* A party moving to seal a document not listed in LR 49.1(c) must first file the document under temporary seal and then, after a docket number is assigned, must file:

(A) a publicly filed motion that does not disclose the information filed under temporary seal;

(B) a memorandum of law, which may be filed under temporary seal, and which must:

(i) identify by docket number and describe the document filed under temporary seal;

(ii) explain why the document should remain under seal;

(iii) address whether the document may be redacted; and

(iv) propose a specific date when the document will be unsealed;

(C) any supporting affidavits or exhibits, which may be filed under temporary seal; and

(D) if applicable, a redacted version of the document, which will be publicly filed if the motion to seal is granted, and which prominently identifies:

(i) that it is a redacted version of a sealed document; and

(ii) the docket number of that sealed document.

(2) *Proposed Order.* A moving party must file a proposed order sealing the document and identifying a specific date the document will be unsealed.

* * * *

(f) Extending the Time a Document Is Sealed. The court may extend the time a document is sealed on its own motion or on a party's motion. While a party's motion is pending, the clerk must not unseal the document.

(1) *Motion to extend.* At any time before a document is scheduled to be unsealed, a party moving to extend the time the document is sealed must file the following, all of which may be filed under seal:

- (A) a motion;
- (B) a memorandum of law which must:
 - (i) identify by docket number and describe the document filed under seal;
 - (ii) explain why the document should remain under seal; and
 - (iii) propose a specific date when the document will be unsealed; and
- (C) any supporting affidavits or exhibits.

(2) *Proposed Order.* A moving party must file a proposed order continuing the sealing of the document and identifying a specific date the document will be unsealed.

(3) *Order extending seal.* The order extending the time a document is sealed must direct the clerk to unseal the document on a specific date.

[Adopted effective July 20, 2015; amended May 16, 2016; amended ____, 2017]

2017 Advisory Committee Note to LR 49.1

The language of LR 49.1 has been amended to instruct parties to file proposed orders on ECF with their corresponding motions. Before this change, proposed orders were submitted to chambers via email.

LR 67.1 DEPOSITING MONEY ~~DEPOSITED INTO~~ THE COURT REGISTRY

(a) **Court Order Required.** A party may deposit money ~~into~~in the court registry under Fed. R. Civ. P. 67(a) only by court order.

(b) **Motion ~~and Proposed Order; Memoranda~~ Deposit Money.**

(1) A party seeking to deposit money ~~into~~in the court registry ~~under Fed. R. Civ. P. 67(a)~~ must file:

(A) ~~file and serve~~ a motion ~~requesting an order permitting for~~ leave to make the deposit; ~~and~~

(B) ~~provide to chambers and serve~~ a completed Registry Deposit Information form; and

(C) _____ a proposed order ~~that specifies~~specifying the ~~exact~~ amount of money to be deposited.

~~(2) Parties must not file proposed orders on the court's ECF system. Instead, proposed orders must be emailed to chambers and served in accordance with the procedures set forth in the court's most recent civil ECF guide.~~

~~(3) A party opposing a motion to deposit money into the court registry under Fed. R. Civ. P. 67(a) must, no later than (2) _____ A party opposing the motion must file a response within 7 days.~~

(3) _____ The moving party may file a reply within 7 days after the response is filed.

(4) No motion ~~is served, file and serve a memorandum that must not, response, or reply may~~ exceed 1,500 words ~~if set in a proportional font, or 140 lines if set in a monospaced font.~~

~~(4) No later than 7 days after a memorandum opposing a motion to deposit money into the court registry is served, a party seeking to deposit money into the court registry may file and serve a reply memorandum that must not exceed 1,500 words if set in a proportional font, or 140 lines if set in a monospaced font.~~

~~(c) Interest on Deposits.~~

(c) Administration of Registry Money

(1) The clerk will ~~not deposit money posted as bond in an interest-bearing account~~ administer money deposited in the court registry pursuant to 28 U.S.C. §§ 2041 to 2045.

(2) ~~Unless the court orders otherwise, the~~ Court Registry Investment System.

(A) The clerk will deposit all ~~other money in an interest-bearing account~~—registry money, except money posted as bond, in the Court Registry Investment System (CRIS) of the Administrative Office of the U.S. Courts.

(B) The clerk will deposit interpleader money in the CRIS Disputed Ownership Fund.

(3) Custodian of CRIS Funds. The Director of the Office of the United States Courts is the custodian of CRIS funds and may:

(A) assess fees based on the District Court Miscellaneous Fee Schedule;

(B) withhold and pay federal taxes on Disputed Ownership Funds; and

(C) distribute income from fund investments after assessing fees.

[Adopted effective February 1, 1991; amended October 29, 2003; amended January 31, 2011; amended May 14, 2013; amended __, 2017]

2017 Advisory Committee's Note to LR 67.1

Local Rule 67.1 has been amended to reflect changes in how the court's registry fund is administered.

Parties must file a completed Registry Deposit Information Form with a motion to deposit funds, identifying any interpleader funds. The form is available on the court's website. The information collected on the form is provided to determine the appropriate tax liability for the deposited funds. Interpleader funds deposited under 28 U.S.C. § 1335 meet the IRS definition of a "disputed ownership fund," a taxable entity that requires tax administration (26 C.F.R. § 1.468B-9(b)(1), 9(h)9(3)). Interpleader funds are deposited with the court by a non-owner, third party for court determination of ownership.

All court-registry-funds, except money posted as bond, will be deposited in the Court Registry Investment System (CRIS) and administered pursuant to 28 U.S.C. § 2045. Funds on deposit with the court are pooled with all funds on deposit with the Treasurer of the United States to purchase Government Account Series securities through the Bureau of Public Debt. An account is established in the CRIS Liquidity Fund titled in the name of the case giving rise to the deposit invested in the fund.

Income generated from CRIS investments will be distributed to each case based on the ratio of each account's principal and earnings to the aggregate principal and earnings in the fund after CRIS fees have been applied. The CRIS fees are set forth in the District Court Miscellaneous Fee Schedule, which may be found at the website of the United States Courts at www.uscourts.gov.

For each interpleader case, an account will be established in the CRIS Disputed Ownership Fund (DOF), titled in the name of the case giving rise to the deposit invested in the fund. Income generated from fund investments will be distributed to each case after the DOF fee has been applied and taxes are deducted.

Parties may obtain reports showing the interest earned, principal amounts contributed, and fees applied for all registry funds on deposit with the court by contacting the Clerk's Office Financial Unit at 612-664-5000.

LR 67.1 DEPOSITING MONEY IN THE COURT REGISTRY

(a) Court Order Required. A party may deposit money in the court registry under Fed. R. Civ. P. 67(a) only by court order.

(b) Motion to Deposit Money.

- (1) A party seeking to deposit money in the court registry must file:
 - (A) a motion for leave to make the deposit;
 - (B) a completed Registry Deposit Information form; and
 - (C) a proposed order specifying the amount of money to be deposited.
- (2) A party opposing the motion must file a response within 7 days.
- (3) The moving party may file a reply within 7 days after the response is filed.
- (4) No motion, response, or reply may exceed 1,500 words.

(c) Administration of Registry Money

- (1) The clerk will administer money deposited in the court registry pursuant to 28 U.S.C. §§ 2041 to 2045.
- (2) *Court Registry Investment System.*
 - (A) The clerk will deposit all registry money, except money posted as bond, in the Court Registry Investment System (CRIS) of the Administrative Office of the U.S. Courts.
 - (B) The clerk will deposit interpleader money in the CRIS Disputed Ownership Fund.
- (3) *Custodian of CRIS Funds.* The Director of the Office of the United States Courts is the custodian of CRIS funds and may:
 - (A) assess fees based on the District Court Miscellaneous Fee Schedule;
 - (B) withhold and pay federal taxes on Disputed Ownership Funds; and
 - (C) distribute income from fund investments after assessing fees.

[Adopted effective February 1, 1991; amended October 29, 2003; amended January 31, 2011; amended May 14, 2013; amended __, 2017]

2017 Advisory Committee's Note to LR 67.1

Local Rule 67.1 has been amended to reflect changes in how the court's registry fund is administered.

Parties must file a completed Registry Deposit Information Form with a motion to deposit funds, identifying any interpleader funds. The form is available on the court's website. The information collected on the form is provided to determine the appropriate tax liability for the deposited funds. Interpleader funds deposited under 28 U.S.C. § 1335 meet the IRS definition of a "disputed ownership fund," a taxable entity that requires tax administration (26 C.F.R. § 1.468B-9(b)(1), 9(h)9(3)). Interpleader funds are deposited with the court by a non-owner, third party for court determination of ownership.

All court-registry-funds, except money posted as bond, will be deposited in the Court Registry Investment System (CRIS) and administered pursuant to 28 U.S.C. § 2045. Funds on deposit with the court are pooled with all funds on deposit with the Treasurer of the United States to purchase Government Account Series securities through the Bureau of Public Debt. An account is established in the CRIS Liquidity Fund titled in the name of the case giving rise to the deposit invested in the fund.

Income generated from CRIS investments will be distributed to each case based on the ratio of each account's principal and earnings to the aggregate principal and earnings in the fund after CRIS fees have been applied. The CRIS fees are set forth in the District Court Miscellaneous Fee Schedule, which may be found at the website of the United States Courts at www.uscourts.gov.

For each interpleader case, an account will be established in the CRIS Disputed Ownership Fund (DOF), titled in the name of the case giving rise to the deposit invested in the fund. Income generated from fund investments will be distributed to each case after the DOF fee has been applied and taxes are deducted.

Parties may obtain reports showing the interest earned, principal amounts contributed, and fees applied for all registry funds on deposit with the court by contacting the Clerk's Office Financial Unit at 612-664-5000.

LR 67.2 ~~WITHDRAWAL OF~~ WITHDRAWING MONEY FROM THE COURT REGISTRY

(a) ~~Court order required.~~ Order Required. A party may withdraw money from the court registry only by court order.

(b) ~~Payee Information Form, Motion, and Proposed Order; Memoranda to Withdraw Money.~~

(1) A party seeking to withdraw money from the court registry must file:

(A) ~~file in paper form~~ a motion for leave to make the withdrawal;

(B) a Withdrawal Payee Information form; (under seal); and

~~(B) file and serve a motion requesting an order permitting the withdrawal and specifying whether the moving party is seeking withdrawal before the expiration of the 14-day automatic stay imposed under Fed. R. Civ. P. 62(a);~~

(C) ~~provide to chambers and serve~~ a proposed order that specifies:

~~(i) the name of each payee;~~

~~(ii) specifying the amount of money to be disbursed to each payee; and~~

~~(iii) the percentage of accrued principal and interest to be disbursed to each payee, if applicable.~~

~~(2) Parties must not file proposed orders on the court's ECF system. Instead, proposed orders must be e-mailed to chambers in accordance with procedures set forth in the court's most recent civil ECF guides.~~

~~(3) A party opposing a motion to withdraw money from the court registry must, no later than 7 days after the motion is served, file and serve a memorandum that must not exceed 1,500 words if set in a proportional font, or 140 lines if set in a monospaced font.~~

~~(4) No later than 7 days after a memorandum opposing a motion to deposit money into the court registry is served, a party seeking to withdraw money from the court registry may file and serve a reply memorandum that must not exceed 1,500 words if set in a proportional font, or 140 lines if set in a monospaced font.~~

(2) A party opposing the motion must file a response within 7 days.

(3) The moving party may file a reply within 7 days after the response is filed.

(4) No motion, response, or reply may exceed 1,500 words.

~~(c) **Fees.** A charge for the handling of registry funds deposited with the court will be assessed from the interest earnings in accordance with the fee schedule issued by the Director of the Administrative Office of the United States. Funds that are invested through the Court Registry Investment System will also be assessed an investment services fee from the interest earnings in accordance with the District Court Miscellaneous Fee Schedule.~~

~~(d) **Timing of Disbursements.** Unless the court orders otherwise, the **Disbursement.** The clerk ~~will~~must not disburse ~~any~~ money from the court registry until 14 days after entry of ~~an~~the order granting ~~a motion to withdraw money from the court registry~~leave.~~

[Adopted effective February 1, 1991; amended January 31, 2011; amended January 28, 2013; amended, 2017].

2017 Advisory Committee's Note to LR 67.2

Local Rule 67.2 has been amended to allow the Withdrawal Payee Information form to be filed under seal. Under the former rule, a party had to file the form conventionally. The amended rule also corrects a clerical error in former subsection (b)(4).

LR 67.2 WITHDRAWING MONEY FROM THE COURT REGISTRY

(a) Court Order Required. A party may withdraw money from the court registry only by court order.

(b) Motion to Withdraw Money.

- (1) A party seeking to withdraw money from the court registry must file:
 - (A) a motion for leave to make the withdrawal;
 - (B) a Withdrawal Payee Information form (under seal); and
 - (C) a proposed order specifying the amount of principal and interest to be disbursed to each payee.
- (2) A party opposing the motion must file a response within 7 days.
- (3) The moving party may file a reply within 7 days after the response is filed.
- (4) No motion, response, or reply may exceed 1,500 words.

(c) Timing of Disbursement. The clerk must not disburse money from the court registry until 14 days after entry of the order granting leave.

[Adopted effective February 1, 1991; amended January 31, 2011; amended January 28, 2013; amended ____, 2017].

2017 Advisory Committee's Note to LR 67.2

Local Rule 67.2 has been amended to allow the Withdrawal Payee Information form to be filed under seal. Under the former rule, a party had to file the form conventionally. The amended rule also corrects a clerical error in former subsection (b)(4).



**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

REGISTRY DEPOSIT INFORMATION FORM

Under Local Rule 67.1, a party seeking leave to deposit funds in the court registry must file this form with its motion.

1. Case Number:

2. Case Title:

3. Moving Party:

4. Amount of Deposit:

5. Are the funds being deposited as interpleader funds under 28 U.S.C. § 1335?

Yes No

6. If "yes," do you anticipate interim disbursements of funds for case expenses before the court determines the ownership of the funds?

Yes No

Date: _____

Attorney or Unrepresented Party



UNITED STATES DISTRICT COURT

~~District of Minnesota~~

DISTRICT OF MINNESOTA

WITHDRAWAL PAYEE INFORMATION FORM

~~Attn: Finance Department~~

CONFIDENTIAL

THIS DOCUMENT MUST BE FILED UNDER SEAL.

~~**Do not file this form on the court's electronic case filing system.**~~

Under Local Rule 67.2~~(b)~~_z, a party seeking leave to withdraw funds from the court registry must file ~~in paper~~ this form under seal. Each payee's name on the form a completed copy of this form with must match the ~~clerk before~~ name on any ~~funds will be disbursed~~ proposed order.

Case Number:

Case Title:

Moving Party:

Full Name of Payee	Address of Payee (No P.O. Boxes)	Social Security Number or Employer Identification Number of Payee

Note: The information collected on this form is provided to the depository institution pursuant to I.R.S. Ruling 76-50. This information is used for administrative purposes only and will be kept confidential.

|

Date: _____

Attorney or Unrepresented Party



**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

WITHDRAWAL PAYEE INFORMATION FORM

THIS DOCUMENT MUST BE FILED UNDER SEAL.

Under Local Rule 67.2, a party seeking leave to withdraw funds from the court registry must file this form under seal. Each payee's name on the form must match the name on any proposed order.

Case Number:

Case Title:

Moving Party:

Full Name of Payee	Address of Payee	Social Security Number or Employer Identification Number of Payee

Note: The information collected on this form is provided to the depository institution pursuant to I.R.S. Ruling 76-50. This information is used for administrative purposes only and will be kept confidential.

Date: _____

Attorney or Unrepresented Party

LR 83.2 FREE PRESS - FAIR TRIAL PROVISIONS [Abrogated]

~~(a) — **Duty of Counsel.** It is the duty of a lawyer or law firm not to release or authorize the release of information or opinion which a reasonable person would expect to be disseminated by any means of public communication, in connection with pending or imminent litigation with which the lawyer or law firm is associated, if there is a reasonable likelihood that such dissemination will interfere with a fair trial or otherwise prejudice the due administration of justice.~~

~~(1) — *Investigation Stages.* A lawyer participating in or associated with a grand jury or other pending investigation of any criminal matter shall refrain from making any extra-judicial statement which a reasonable person would expect to be disseminated by any means of public communication, that goes beyond the public record or that is not necessary to inform the public that the investigation is underway, to describe the general scope of the investigation, to obtain assistance in the apprehension of a suspect, to warn the public of any dangers, or to otherwise aid in the investigation.~~

~~(2) — *Pretrial Stages.* From the time of an arrest, the issuance of an arrest warrant, or the filing of a complaint, information, or indictment in any criminal matter until the commencement of trial or the disposition without trial, a lawyer or law firm associated with the prosecution or defense shall not release or authorize the release of extra-judicial statements which a reasonable person would expect to be disseminated by any means of public communication, relating to that matter and concerning:~~

~~(A) — The prior criminal record (including arrests, indictments or other charges of crime) or the character or reputation of the accused, except that the lawyer or law firm may make a factual statement of the accused's name, age, residence, occupation, and family status, and, if the accused has not been apprehended, a lawyer associated with the prosecution may release any information necessary to aid in the apprehension of the accused or to warn the public of any dangers the accused may present;~~

~~(B) — The existence or contents of any confession, admission, or statement given by the accused, or the refusal or failure of the accused to make any statement;~~

~~(C) — The performance of any examinations or tests, or the accused's refusal or failure to submit to an examination or test;~~

~~(D) — The identity, testimony, or credibility of prospective witnesses, except that the lawyer or law firm may announce the identity of the victim if the announcement is not otherwise prohibited by law;~~

~~(E) — The possibility of a plea of guilty to the offense charged or a lesser offense; and~~

~~(F) — Any opinion as to the accused's guilt or innocence or as to the merits of the case or the evidence in the case.~~

~~The foregoing shall not be construed to preclude the lawyer or law firm during this period, in the proper discharge of official or professional obligations, from announcing the fact and circumstances of arrest (including time and place of arrest, resistance, pursuit, and use of weapons), the identity of the investigating and arresting office or agency, and the length of the investigation; from making an announcement, at the time of seizure of any physical evidence other than a confession, admission, or statement, which is limited to a description of the evidence seized; from disclosing the nature, substance, or text of the charge, including a brief description of the offense charged; from quoting or referring without comment to public records of the Court in the case; from announcing the scheduling or result of any stage in the judicial process; from requesting assistance in obtaining evidence; or from announcing without further comment that the accused denies the charge.~~

~~(3) — *During Trial.* During the trial of any criminal matter including the period of selection of the jury, no lawyer or law firm associated with the prosecution or defense shall give or authorize any extra-judicial statement or interview relating to the trial or to the parties or issues in the trial, which a reasonable person would expect to be disseminated by any means of public communication if there is a reasonable likelihood that such dissemination will interfere with a fair trial, except that the lawyer may quote from or refer without comment to public records of the Court in the case.—~~

~~(4) — *Other Proceedings.* Nothing in this rule is intended to preclude the formulation or application of more restrictive rules relating to the release of information about juvenile or other offenders; to preclude the holding of hearings or the lawful issuance of reports by legislative, administrative, or investigative bodies; or to preclude any lawyer from replying to charges of misconduct that are publicly made against him or her.~~

(b) — Duty of Courthouse Supporting Personnel. ~~All courthouse supporting personnel -- including, among others, marshals, deputy marshals, court clerks, bailiffs, and court reporters and employees or subcontractors retained by court-appointed official reporters -- are prohibited from disclosing to any person, without authorization by the Court, information relating to a pending grand jury proceeding or criminal case that is not a part of the public records of the Court. The divulgence of information concerning grand jury proceedings, arguments and hearings held in chambers or otherwise outside the presence of the public is also forbidden.~~

~~(c) — **Special Order of the Court.** In a widely publicized or sensational case, the Court, on motion of either party or on its own motion, may issue a special order governing such matters as extra-judicial statements by parties and witnesses which are likely to interfere with the rights of the accused to a fair trial by an impartial jury; the seating and conduct in the courtroom of spectators and news media representatives; the management and sequestration of jurors and witnesses; and any other matters which the Court may deem appropriate for inclusion in such an order. Such special order may be addressed to some or all of the following subjects:~~

~~(1) — A proscription of extra-judicial statements by participants in the trial, including lawyers, parties, witnesses, jurors, and court officials which might divulge prejudicial matter not of public record in the case;~~

~~(2) — Specific directives regarding the clearing of entrances to and hallways in the courthouse and respecting the management of the jury and witnesses during the course of the trial so as to avoid their mingling with or being in the proximity of reporters, photographers, parties, lawyers, and others, both in entering and leaving the courtroom and courthouse and during the recesses in the trial;~~

~~(3) — Specific direction that the jurors refrain from reading, listening to, or watching news reports concerning the case, and that they similarly refrain from discussing the case with anyone during the trial and from communicating with others in any manner during their deliberations;~~

~~(4) — Sequestration of the jury on motion of either party or the Court, without disclosure of the identity of the movant;~~

~~(5) — Direction that the names and addresses of jurors or prospective jurors not be publicly released except as required by statute, and that no photograph be taken or sketch made of any juror within the environs of the Court;~~

~~(6) — Insulation of witnesses from news interviews during the trial period; and~~

~~(7) — Specific provisions regarding the seating of spectators and representatives of news media, including:~~

~~(A) — An order that no member of the public or news media representative be at any time permitted within the bar railing; and~~

~~(B) — The allocation of seats to news media representatives in cases where there is an excess of requests, taking into account any pooling arrangements that may have been agreed to among the news media personnel.~~

~~The above list of subjects is not intended to be exhaustive, but is merely illustrative of subject matters which might appropriately be dealt with in such an order. However, special orders which would prohibit representatives of the news media from broadcasting or publishing any information in their possession relating to a criminal case are inappropriate and nothing in this rule authorizes such an order.~~

~~**(d) — Closure of Pretrial Proceedings.** Unless otherwise provided by law, all preliminary criminal proceedings, including preliminary examinations and hearings on pretrial motions, shall be available for attendance and observation by the public; provided that, upon motion made or agreed to by the defense, the Court, in the exercise of its discretion, may order a pretrial proceeding be closed to the public in whole or in part, on the grounds:~~

~~(1) — That there is a reasonable likelihood that the dissemination of information disclosed at such proceeding would impair the defendant's right to a fair trial; and~~

~~(2) — That reasonable alternatives to closure will not adequately protect defendant's right to a fair trial.~~

~~If the Court so orders, it shall state for the record its specific findings concerning the need for closure.~~

~~**(e) — Photographic and Recording Equipment.** No cameras, whether film, video, or any other photographic means, shall be permitted in the courthouse, except that a Judge of this Court may authorize still or video photography of a ceremonial procedure in the courthouse.~~

~~Sound recording devices, including telephonic devices, such as pagers and other receiving, transmitting or enhancement devices, may be brought into the courthouse, but must be inoperative and unobtrusive at all times they are in a courtroom or in any adjacent area where their operation could be disruptive to any judicial business or proceeding.~~

~~The U.S. Marshal or designee court security officers are authorized to exclude from any courtroom, prohibit from the courthouse, or confiscate any devices the officer has reason to believe violates this rule.~~

~~All electronic devices shall be subject to visual and/or electronic inspection by the U.S. Marshal or designee court security officers at any time, and such inspection may include a required demonstration by the person in possession that it is functional.~~

[Adopted effective February 1, 1991; amended November 1, 1996; [abrogated](#), [2017](#)]

[2017 Advisory Committee's Note to LR 83.2](#)

Local Rule 83.2 is abrogated because it is inconsistent with the Minnesota Rules of Professional Conduct, which have been adopted by the court. See LR 83.6(a).

The provisions regarding photography and recording equipment have been replaced with the court's electronic-devices policy, which is available on the court's website.

LR 83.2 FREE PRESS - FAIR TRIAL PROVISIONS [Abrogated]

[Adopted effective February 1, 1991; amended November 1, 1996; abrogated ____, 2017]

2017 Advisory Committee's Note to LR 83.2

Local Rule 83.2 is abrogated because it is inconsistent with the Minnesota Rules of Professional Conduct, which have been adopted by the court. See LR 83.6(a).

The provisions regarding photography and recording equipment have been replaced with the court's electronic-devices policy, which is available on the court's website.

LR 26.1 CONFERENCE OF THE PARTIES UNDER FED. R. CIV. P. 26(f); REPORT; PROTECTIVE ORDERS

(a) **Conference Content.** At the Rule 26(f) conference, the parties must discuss:

- (1) the matters specified in Fed. R. Civ. P. 26(f);
- (2) the matters specified in the notice of the initial pretrial conference and in any applicable order; and
- (3) the matters specified in ~~either~~ [the Rule 26\(f\) Report and Proposed Scheduling Order Form](#):

~~(A) — LR Form 3, if no party asserts a claim that arises under the patent laws; or~~

~~(B) — LR Form 4, if a party asserts a claim that arises under the patent laws.~~

(b) **Rule 26(f) Report and Proposed Scheduling Order.**

(1) *Timing.* Within 14 days of the Rule 26(f) conference, the parties must file a joint Rule 26(f) report and proposed scheduling order.

(2) *Form.* Unless the court orders otherwise, [the parties must use the Rule 26\(f\) Report and Proposed Scheduling Order Form.](#)

~~(A) — If no party asserts a claim that arises under the patent laws, the joint Rule 26(f) report and proposed scheduling order must be in the form prescribed in LR Form 3.~~

~~(B) — If a party asserts a claim that arises under the patent laws, the joint Rule 26(f) report and proposed scheduling order must be in the form prescribed in LR Form 4.~~

(3) *Disagreements.* If the parties disagree about an aspect of a proposed scheduling order, each party must set forth its separate proposal with respect to the area of disagreement in the joint Rule 26(f) report and proposed scheduling order.

(c) **Protective Order.**

(1) *Proposed Order.* If a party believes that a protective order to govern discovery is necessary, the parties must jointly submit a proposed

protective order as part of the joint Rule 26(f) report and proposed scheduling order required under LR 26.1(b).

(2) *Form.* The court encourages, but does not require, ~~that~~ [the parties to use the Stipulation for Protective Order Form.](#)

~~(A) — if no party asserts a claim that arises under the patent laws, the joint proposed protective order be in the form prescribed in LR Form 6; or~~

~~(B) — if a party asserts a claim that arises under the patent laws, the proposed protective order be in the form prescribed in LR Form 5.~~

(3) *Disagreements.* If the parties disagree about an aspect of a proposed protective order, the parties must submit a joint report identifying their areas of disagreement. This joint report may be — but is not required to be — separate from the parties' joint Rule 26(f) report.

* * * *

[Adopted effective November 1, 1996; amended January 3, 2000; amended August 31, 2001; amended December 1, 2009; amended July 23, 2012]; [amended _____, 2017](#)]

[2017 Advisory Committee's Note to LR 26.1](#)

[In 2017, the Court removed all forms from its local rules. The Rule 26\(f\) Report and Proposed Scheduling Order Form and the Stipulation for Protective Order Form may be found on the Court's website.](#)

LR 26.1 CONFERENCE OF THE PARTIES UNDER FED. R. CIV. P. 26(f); REPORT; PROTECTIVE ORDERS

(a) Conference Content. At the Rule 26(f) conference, the parties must discuss:

- (1) the matters specified in Fed. R. Civ. P. 26(f);
- (2) the matters specified in the notice of the initial pretrial conference and in any applicable order; and
- (3) the matters specified in the Rule 26(f) Report and Proposed Scheduling Order Form.

(b) Rule 26(f) Report and Proposed Scheduling Order.

- (1) *Timing.* Within 14 days of the Rule 26(f) conference, the parties must file a joint Rule 26(f) report and proposed scheduling order.
- (2) *Form.* Unless the court orders otherwise, the parties must use the Rule 26(f) Report and Proposed Scheduling Order Form.
- (3) *Disagreements.* If the parties disagree about an aspect of a proposed scheduling order, each party must set forth its separate proposal with respect to the area of disagreement in the joint Rule 26(f) report and proposed scheduling order.

(c) Protective Order.

- (1) *Proposed Order.* If a party believes that a protective order to govern discovery is necessary, the parties must jointly submit a proposed protective order as part of the joint Rule 26(f) report and proposed scheduling order required under LR 26.1(b).
- (2) *Form.* The court encourages, but does not require, the parties to use the Stipulation for Protective Order Form.
- (3) *Disagreements.* If the parties disagree about an aspect of a proposed protective order, the parties must submit a joint report identifying their areas of disagreement. This joint report may be — but is not required to be — separate from the parties' joint Rule 26(f) report.

* * * *

[Adopted effective November 1, 1996; amended January 3, 2000; amended August 31, 2001; amended December 1, 2009; amended July 23, 2012; amended __, 2017]

2017 Advisory Committee's Note to LR 26.1

In 2017, the Court removed all forms from its local rules. The Rule 26(f) Report and Proposed Scheduling Order Form and the Stipulation for Protective Order Form may be found on the Court's website.

STIPULATION FOR PROTECTIVE ORDER FORM

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

[NAME OF PARTY],)	
)	Case No. _____
Plaintiff,)	
)	
v.)	STIPULATION FOR
)	PROTECTIVE ORDER
[NAME OF PARTY],)	
)	
Defendant.)	

The parties stipulate that the court may enter the following protective order:

1 Definitions. As used in this protective order:

- (a) “attorney” means an attorney who has appeared in this action;
- (b) “confidential document” means a document designated as confidential under this protective order;
- (c) to “destroy” electronically stored information means to delete from all databases, applications, and file systems so that the information is not accessible without the use of specialized tools or techniques typically used by a forensic expert;
- (d) “document” means information disclosed or produced in discovery, including at a deposition;
- (e) “notice” or “notify” means written notice;
- (f) “party” means a party to this action; and

- (g) “protected document” means a document protected by a privilege or the work-product doctrine.

2 Designating a Document or Deposition as Confidential.

- (a) A party or non-party disclosing or producing a document may designate it as confidential if the party or non-party contends that it contains confidential or proprietary information.
- (b) A party or non-party may designate a document as confidential by conspicuously marking each page with the word “confidential.”
- (c) Deposition testimony may be designated as confidential:
 - (1) on the record at the deposition; or
 - (2) after the deposition, by promptly notifying the parties and those who were present at the deposition.
- (d) If a witness is expected to testify as to confidential or proprietary information, a party or non-party may request that the witness’s deposition be taken in the presence of only those persons entitled to receive confidential documents.

3 Who May Receive a Confidential Document.

- (a) A confidential document may be used only in this action.
- (b) No person receiving a confidential document may reveal it, except to:
 - (1) the court and its staff;
 - (2) an attorney or an attorney’s partner, associate, or staff;
 - (3) a person shown on the face of the confidential document to have authored or received it;

- (4) a court reporter or videographer retained in connection with this action;
- (5) a party (subject to paragraph 3(c)); and
- (6) any person who:
 - (A) is retained to assist a party or attorney with this action; and
 - (B) signs a declaration that contains the person's name, address, employer, and title, and that is in substantially this form:

I have read, and agree to be bound by, the protective order in the case captioned [case caption and number] in the United States District Court for the District of Minnesota. As soon as my work in connection with that action has ended, but not later than 30 days after the termination of that action (including any appeals), I will return or destroy any confidential document that I received, any copy of or excerpt from a confidential document, and any notes or other document that contains information from a confidential document.

I declare under penalty of perjury that the foregoing is true and correct.

- (c) A party may supplement the "confidential" mark (see paragraph 2(b)) with the words "attorney's eyes only," in which case a confidential document so designated may not be revealed to another party.
- (d) If a confidential document is revealed to someone not entitled to receive it, the parties must make reasonable efforts to retrieve it.

4 Serving This Protective Order on a Non-Party. A party serving a subpoena on a non-party must simultaneously serve a copy of this protective order and of Local Rule 5.6.

5 Correcting an Error in Designation. A party or non-party who discloses or produces a confidential document not designated as confidential may, within 7 days after discovering the error, provide notice of the error and produce a copy of the document designated as confidential.

6 Use of a Confidential Document in Court.

(a) Filing. This protective order does not authorize the filing of any document under seal. A confidential document may be filed only in accordance with LR 5.6.

(b) Presentation at a hearing or trial. A party intending to present another party's or a non-party's confidential document at a hearing or trial must promptly notify the other party or the non-party so that the other party or the non-party may seek relief from the court.

7 Changing a Confidential Document's Designation.

(a) Document disclosed or produced by a party. A confidential document disclosed or produced by a party remains confidential unless the parties agree to change its designation or the court orders otherwise.

(b) Document produced by a non-party. A confidential document produced by a non-party remains confidential unless the non-party agrees to change its designation or the court orders otherwise after providing an opportunity for the non-party to be heard.

(c) Changing a designation by court order. A party who cannot obtain agreement to change a designation may move the court for an order changing the designation. If the motion affects a document produced by a

non-party then, with respect to the motion, that non-party is entitled to the same notice and opportunity to be heard as a party. The party or non-party who designated a document as confidential must show that the designation satisfies Fed. R. Civ. P. 26(c).

8 Handling a Confidential Document after Termination of Litigation.

- (a) Within 60 days after the termination of this action (including any appeals), each party must:
 - (1) return or destroy all confidential documents; and
 - (2) notify the disclosing or producing party that it has returned or destroyed all confidential documents within the 60-day period.
- (b) Notwithstanding paragraph 8(a), each attorney may retain a copy of any confidential document submitted to the court.¹

9 Inadvertent Disclosure or Production to a Party of a Protected Document.

- (a) Notice.
 - (1) A party or non-party who discovers that it has inadvertently disclosed or produced a protected document must promptly notify the receiving party and describe the basis of the claim of privilege or protection. If the party or non-party provides such notice and description, the privilege or protection is not waived.

¹The Parties may draft their stipulation so that it allows retention of other documents as well — for example, correspondence that quotes or describes a confidential document.

(2) A party who discovers that it may have received an inadvertently disclosed or produced protected document must promptly notify the disclosing or producing party or non-party.

(b) Handling of Protected Document. A party who is notified or discovers that it may have received a protected document must comply with Fed. R. Civ. P. 26(b)(5)(B).

10 Security Precautions and Data Breaches.

(a) Each party must make reasonable efforts to protect the confidentiality of any confidential document disclosed or produced to that party.

(b) A party who learns of a breach of confidentiality must promptly notify the disclosing or producing party of the scope and nature of that breach and make reasonable efforts to remedy the breach.

11 Survival of Obligations. The obligations imposed by this protective order survive the termination of this action.

Stipulated to:

Date: _____

By:

Date: _____

By: