

Magistrate Judge Elsa M. Bullard
Practice Pointers and Preferences

July 2025

Contact with Chambers

- § Neither Magistrate Judge Bullard nor any member of her Chambers will provide answers to substantive or procedural legal questions. Please refer to the Federal Rules of Civil Procedure, the Local Rules for the District of Minnesota, and any applicable statutes and orders in the case.

- § Calls and emails to Magistrate Judge Bullard's Chambers are not proper means for requesting relief from the Court. Requests for relief must be brought by motion or using Magistrate Judge Bullard's informal dispute resolution ("IDR") process, as described below. Letters to the Court requesting relief will not be considered except as allowed through the IDR process.

- § Neither Magistrate Judge Bullard nor any member of her Chambers will communicate with members of the media about any matters before the Court.

- § Questions about how to file a document on CM/ECF should be directed to the ECF Help Desk by phone at 866-325-4975 or 612-664-5155 or by email to ecfhelpdesk@mnd.uscourts.gov. You are also directed to useful resources at the District's [Electronic Filing Tools](#).

- § When calling or emailing Chambers with a question regarding a specific case, please identify yourself and the party you represent and provide the case name and number. Parties should copy opposing counsel of record when emailing Chambers.

- § Please provide Chambers paper courtesy copies of submissions—including motions, memoranda, responses, declarations, affidavits, exhibits,

proposed orders, *etc.*— when the total filing exceeds 20 pages, with appropriate tabs if the submissions are voluminous. Copies of certificates of service and word-count compliance need not be included in a courtesy copy.

- § If you have questions about Magistrate Judge Bullard’s Practice Pointers and Preferences, please contact Chambers by phone at 651-848-1620 or by email at Bullard_Chambers@mnd.uscourts.gov.

Resources for Pro Se Litigants

- § People who represent themselves without a lawyer’s help are called “pro se litigants.” Magistrate Judge Bullard expects pro se litigants to be familiar with and follow the applicable Federal Rules, Local Rules for the District of Minnesota, and statutes and orders relevant to their case. Pro se litigants can find free, online access to the Federal Rules of Civil Procedure [here](#) and the Local Rules [here](#). The [Pro Se page](#) on the District’s website has other useful resources.

Civil Practice

First Pretrial Conference and Rule 26(f) Report

- § If the Order Setting Pretrial Conference in a case sets the Rule 16 conference for an in-person proceeding, Magistrate Judge Bullard will consider requests to hold the Rule 16 conference remotely by telephone or videoconference (Zoom for Government). Requests should be made by emailing Chambers before the Rule 26(f) report is due, copying all counsel of record, stating the reason for the request, and indicating whether all counsel agree to a remote Rule 16 conference.
- § Please email a courtesy copy of the Rule 26(f) Report in Word format to Chambers when the Report is filed.

Motion Practice

- § The parties must comply with the meet-and-confer requirement before calling to request a hearing date, filing any motion, or requesting IDR, except as otherwise specified in Local Rule 7.1(a). This requirement is intended to lead to a meaningful, good-faith exchange of views, and if possible, a full or partial resolution of the issue(s) in dispute. To satisfy Rule 7.1(a), parties must diligently attempt to resolve their dispute(s) in person or by videoconference or telephone. Solely exchanging emails, letters, or voice messages is considered insufficient. If the opposing party is unavailable before the motion or request is made, the moving party must meet and confer with them as soon as possible thereafter pursuant to Local Rule 7.1(a)(1)(A).

- § Once the moving party secures a hearing date, it must promptly serve and file the notice of hearing informing all parties of the nature of the motion and the date, time, and location of the hearing. The moving party may serve and file the motion and remaining motion papers in accordance with the dates prescribed by Local Rule 7.1, unless a different briefing schedule is set. A party may not call Chambers to secure or “hold” a hearing date without that party promptly serving and filing a notice of hearing.

- § Parties that fully resolve a pending motion should notify Chambers as soon as possible so that any scheduled hearing can be removed from the calendar. If the parties partially resolve a pending motion, please notify Chambers to let the Court know what matters the Court no longer needs to address. If time permits, notification should be by joint stipulation, as provided by Local Rule 7.1(a)(2). To withdraw a motion, the moving party should file a notice formally withdrawing the motion on CM/ECF.

Informal Dispute Resolution (IDR) Process

- § Magistrate Judge Bullard’s IDR process is available to resolve non-dispositive disputes. The IDR process can offer prompt resolution of an issue. Typically, the matter is not briefed, and declarations and sworn affidavits are not filed. Consequently, a matter resolved through the IDR process is not appropriate for appeal to the District Judge or the Eighth

Circuit. Therefore, all parties must agree to use the IDR process. If there is no agreement to resolve a dispute through IDR, then the dispute must be presented to the Court through formal motion practice.

- § If the parties agree to pursue the IDR process, the parties must jointly contact Chambers to schedule a telephone hearing. Prior to the telephone hearing, the parties will each submit a short letter setting forth the issue(s) to be resolved. If not otherwise specified by the Court, the letter submissions shall be no more than three pages in length and shall be served and emailed to Chambers at least two business days before the telephone hearing. Parties need Court permission to include exhibits that extend the length of the letter beyond three pages.

Unopposed Motions and Stipulations

- § Whenever a party seeks relief from the Court, that party should file a motion, as opposed to a stipulation. If the parties agree regarding the requested relief, the party requesting relief may bring an unopposed motion. If both parties seek the relief, the parties may bring a joint motion. The filing party must file: (1) the motion, including a statement regarding the opposing party's non-opposition or joinder; (2) a proposed order; and (3) supporting affidavits or exhibits, if any. The filing party does not need to contact Chambers for a hearing date or file a notice of hearing, unless a hearing is requested. The parties do not need to file a memorandum or separate meet-and-confer statement. The Court may, at its discretion, schedule a hearing on any such motion upon reviewing the moving party's submissions.

Hearings

Scheduling Hearings

- § Unless a motion is unopposed, the moving party must contact Magistrate Judge Bullard's Chambers via phone at 651-848-1620 or email at Bullard_Chambers@mnd.uscourts.gov to schedule a motions hearing. **A hearing date must be requested before the motion is filed, even if the parties agree that no hearing is necessary.** Before calling Chambers for a hearing date, the moving party should alert all other

parties of the intent to do so. The parties should inform Chambers of all other pending or anticipated motions so the motions can be heard at the same time. If the parties agree that a hearing is not necessary, the moving party must contact Chambers to get a date for submission of the matter to the Court and should include a statement to that effect in the Notice of Hearing. Magistrate Judge Bullard will determine whether to hold a hearing at her discretion.

- § Before scheduling a motions hearing date, the Court may, at its discretion, require the parties to participate in an informal conference in Chambers or via video teleconference to discuss the dispute and determine whether the issues can be resolved or narrowed without motion practice.
- § If a hearing date or time must be rescheduled, it is helpful and efficient to have counsel for all parties on the line at the same time or copied on the requesting email.
- § Magistrate Judge Bullard will consider requests to hear oral argument telephonically or by Zoom for Government rather than in person. Counsel should meet and confer regarding a request for a remote hearing. Requests should be made by emailing Chambers, copying all counsel of record, and should state the reason for the request and whether all counsel agree to a remote hearing.

Hearings Generally

- § Magistrate Judge Bullard encourages litigants to seek opportunities for newer lawyers to participate and argue, particularly with respect to motions that the newer lawyer significantly prepared. Magistrate Judge Bullard will make no inferences about the importance a party places on a particular issue from the experience level of the lawyer chosen to argue that issue.
- § At any hearing, Counsel should refer to the record using citations to the CM/ECF docket (e.g., Dkt. No. 22-13 rather than “Exhibit M”).

In-Person Hearings

- § If you intend to use paper copies of cases or other documents at a hearing, bring sufficient copies for the Court, the law clerk, and opposing counsel. The copies should reference the case name and case number.
- § If you intend to use visual aids at an in-person hearing, such as PowerPoint or other presentation graphics, bring sufficient copies for the Court, the law clerk, and opposing counsel. The copies should reference the case name and case number.
- § Please become familiar with any courtroom technology you intend to use ahead of time. You may coordinate a time to train on and test your technology in advance of the hearing by contacting Chambers at 651-848-1620 or Bullard_Chambers@mnd.uscourts.gov. Magistrate Judge Bullard and her staff are not responsible for the courtroom technology's functioning, so have a back-up plan if the technology is not available.

Remote Hearings

- § Magistrate Judge Bullard will use Zoom for Government audio-only or video for remote hearings. Chambers staff will provide the necessary call-in information to counsel via entry on CM/ECF or email.
- § Counsel are responsible for ensuring that they and any participants affiliated with them have tested the technology and understand how to use Zoom for Government. If Magistrate Judge Bullard decides to hear argument by Zoom for Government, counsel must review the District's instructions for participating in a Zoom for Government proceeding, available [here](#).
- § If counsel anticipate using a presentation, exhibits, or demonstratives during a hearing by Zoom for Government video hearing, they should inform Chambers by email before the hearing, copying all counsel of

record. This will allow the Court to make appropriate changes to the Zoom settings.

- § Counsel are expected to conduct themselves during a remote video hearing in the same manner as in the courtroom. This includes wearing appropriate courtroom attire and maintaining courtroom decorum throughout the remote proceeding.

Settlement Conferences

- § Magistrate Judge Bullard will hold settlement conferences in-person, usually preferable, and remotely. Counsel should meet and confer regarding a request for a remote settlement conference. Requests should be made by emailing Bullard_Chambers@mnd.uscourts.gov, copying all counsel of record, and should state the reason for the request and whether all counsel agree to a remote settlement conference. Magistrate Judge Bullard will determine if the settlement conference is appropriate for resolution by Zoom for Government based on various factors, including the complexity of the case, the burden that appearing in person would impose on the parties, the amount in controversy, the parties' settlement positions, and the progress the parties have made towards settlement as of the date of the request. If a settlement conference will be held by Zoom for Government, counsel must review the District's instructions for participating in a Zoom for Government proceeding, available [here](#), and comply with relevant practice pointers for remote hearings, above.