

**INDIVIDUAL RULES OF
MAGISTRATE JUDGE JOAN M. AZRACK
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201
Telephone: (718) 260-2530
Fax: (718) 260-2536
Fax Page Limit: 5 pages
Contact: Louise Falcone
Telephone: (718) 260-2530**

Unless otherwise ordered by Judge Azrack in a specific case, matters before Judge Azrack shall be conducted in accordance with the following practices:

1. COMMUNICATIONS WITH CHAMBERS

A. Telephone Calls

In addition to Paragraph 1(D) below, telephone calls to chambers are permitted. For non-docketing, scheduling or calendar matters, call chambers at 718-260-2530.

B. Faxes

Faxes to chambers are permitted only if copies are also simultaneously faxed or delivered to all counsel. No document longer than 5 pages may be faxed without prior authorization. **DO NOT FOLLOW WITH HARD COPY.** The fax number to chambers is 718-260-2536.

C. Docketing, Scheduling, and Calendar Matters

For docketing, scheduling and calendar matters, contact Louise Falcone at (718) 260-2530.

D. Request for Adjournments or Extension of Time

Requests for adjournments of conferences or extensions of time **may be made by telephone.**

2. MOTIONS

A. *Pre-Motion Conferences in Civil Cases*

For discovery motions, follow Local Civil Rules 37.2 For motions other than discovery motions, in all cases where the parties are represented by counsel and in other than habeas corpus/prisoner petitions and Social Security and Bankruptcy appeals, a pre-motion conference with the court is required before making any dispositive motion, motion for a change of venue or to amend a pleading pursuant to Rule 15 of the Fed. R. Civ. P. where leave of court is required. The pre-motion conference may be by telephone.

B. *Courtesy Copies*

Two courtesy copies of all motion papers, marked as such, should be submitted for chambers.

C. *Memoranda of Law*

Unless prior permission has been granted, memoranda of law in support of and in opposition to motions are limited to 25 pages, and reply memoranda are limited to 10 pages. Memoranda of 10 pages or more shall contain a table of contents.

D. *Filing of Motion Papers*

No motion papers shall be filed until the motion has been fully briefed. The notice of motion and all supporting papers are to be served on the other parties along with a cover letter setting forth whom the movant represents and the papers being served.

Subject to court approval, the parties are to set up their own briefing schedule. No changes in the approved schedule may be made without court approval. Approval may be given at the pre-motion conference or by subsequent notification.. No party is to serve any motion papers prior to obtaining court approval for the schedule.

The original moving party shall be responsible for filing all motion papers. Such party is further obligated to furnish to chambers two sets of courtesy copies of the motion papers together with a cover letter specifying each document in the package.

E. *Oral Argument on Motions*

Parties may request oral argument at the time their moving or opposing or reply papers are filed. The court will determine whether argument will be heard and, if so, will advise counsel of the argument date.

3. *PRETRIAL PROCEDURES*

A. *Joint Pretrial Orders in Civil Cases*

As directed by the Court, upon completion of discovery in a civil case, the parties shall submit to the court for its approval a joint pretrial order, which shall include the following:

1. A statement of stipulated facts (if any).
2. The parties claims and defenses on liability and the damages and other relief sought.
3. Schedules of exhibits to be offered in evidence. Only exhibits listed shall be offered in evidence except for good cause shown.
4. Names and addresses of all witnesses, together with a brief narrative statement of the expected testimony of each witness. Only listed witnesses will be permitted to testify except for good cause shown.
5. Lists of depositions to be offered.
6. Proposed voir dire questions, proposed jury instructions, and proposed verdict forms. These materials shall be provided on 3 ½ " diskette, if possible, in addition to a written version.

B. *Filings Prior to Trial in Civil Cases*

Unless otherwise ordered by the Court, each party shall file:

- i. On the Thursday before trial in jury cases, requests to charge and proposed

voir- dire questions. Requests to charge should be limited to the elements of the claims, the damages sought and defenses. General instructions will be prepared by the court. When feasible, proposed jury charges should also be submitted on a 3.5" diskette in IBM WordPerfect format;

ii. In all cases, motions addressing any evidentiary or other issues which should be resolved in limine; and

iii. In any case where such party believes it would be useful, a pretrial memorandum.