

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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IN RE: LOCAL CIVIL RULE 5.1 : :
and : :
IN RE: LOCAL CIVIL RULE 7.1.1 : : **ADMINISTRATIVE ORDER**
and : :
IN RE: LOCAL CIVIL RULE 23.1.1 : : **2007-07**
and : :
IN RE: LOCAL CIVIL RULE 37.1 : :
and : :
IN RE: LOCAL CIVIL RULE 53.1 : :
and : :
IN RE: LOCAL CRIMINAL RULE 12.4 : :
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The Judges of the Southern and Eastern Districts of New York having approved the amendments to Local Civil Rule 5.1(a) and(c); Local Civil Rule 7.1.1; Local Civil Rule 37.1; Local Civil Rule 23.1.1; Local Civil Rule 53.1; and Local Criminal Rule 12.4, and appropriate public notice and an opportunity for comment having been given; now, therefore, it is

ORDERED and ADJUDGED that Local Civil Rule 5.1(a) and(c); Local Civil Rule 7.1.1; Local Civil Rule 37.1; Local Civil Rule 23.1.1; Local Civil Rule 53.1; and Local Criminal Rule 12.4 are hereby amended as indicated below,

Local Civil Rule 5.1. Filing of Discovery Materials

A party seeking relief under Rules 26 through 37 inclusive of the Federal Rules of Civil Procedure, or making any other motion or application, shall quote or attach only those portions of the depositions, interrogatories, requests for documents, requests for admissions, or other discovery or disclosure materials, together with the responses and objections thereto, that are the subject of the discovery motion or application, or are cited in papers submitted in connection with any other motion or application. See also Local Rule 37.1.

Local Civil Rule 7.1.1 Disclosure Statement

For purposes of Fed. R. Civ. P. 7.1.(b)(2), “promptly” shall mean “within ten business days,” that is, parties are required to file supplemental disclosure statement within ten business days of the time there is any change in the information required in a disclosure statement filed pursuant to those rules.

Local Civil Rule 23.1.1 Fees in Shareholder Derivative Actions

Fees for attorneys or others shall not be paid upon recovery or compromise in a derivative action on behalf of a corporation except as allowed by the court after a hearing upon such notice as the court may direct. The notice shall include a statement of the names and addresses of the applicants for such fees and the amounts requested respectively and shall disclose any fee sharing agreements with anyone. Where the court directs notice of a hearing upon a proposed voluntary dismissal or settlement of a derivative action, the above information as to the applications shall be included in the notice.

Local Civil Rule 37.1. Verbatim Quotation of Discovery Materials

Upon any motion or application involving discovery or disclosure requests or responses under Rule 37 of the Federal Rules of Civil Procedure, the moving party shall specify and quote or set forth verbatim in the motion papers each discovery request and response to which the motion or application is addressed. The motion or application shall also set forth the grounds upon which the moving party is entitled to prevail as to each request or response. Local Civil Rule 5.1 also applies to the motion or application.

Local Civil Rule 53.1 Masters

(a) Oath. Every person appointed pursuant to Rule 53 shall before entering upon his or her duties take and subscribe an oath, which, except as otherwise prescribed by statute or rule, shall be the same as the oath prescribed for judges pursuant to 28 U.S.C. § 453, with the addition of the words "in conformance with the order of appointment" after the words "administer justice." Such an oath may be taken before any federal or state officer authorized by federal law to administer oaths, and shall be filed in the office of the clerk.

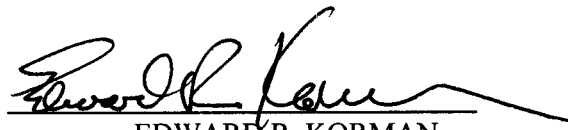
(b) May Sit Outside District. A person appointed pursuant to Rule 53 may sit within or outside the district. When the person appointed is requested to sit outside the district for the convenience of a party and there is opposition by another party, he or she may make an order for the holding of the hearing, or a part thereof, outside the district, upon such terms and conditions as shall be just. Such order may be reviewed by the court upon motion of any party, served within ten (10) days after service on all parties by the master of the order.

Local Criminal Rule 12.4 Disclosure Statement

For purposes of Fed. R. Crim. P. 12.4 (b)(2), "promptly" shall mean "within ten business days," that is, parties are required to file supplemental disclosure statement within ten business days of the time there is any change in the information required in a disclosure statement filed pursuant to those rules.

It is further ORDERED and ADJUDGED that the amendments to Local Civil Rules 5.1(a) and(c); Local Civil Rule 7.1.1; Local Civil Rule 37.1; Local Civil Rule 23.1.1; Local Civil Rule 53.1 Local Criminal Rule 12.4 are effective immediately.

SO ORDERED.


EDWARD R. KORMAN
Chief Judge

Dated: Brooklyn, New York
February 21, 2007