

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

GENERAL ORDER 09 -07

November 3, 2009

On May 7, 2009, the Statutory Time Period Technical Amendments Act of 2009 was enacted (Pub. L. No. 111-016). The law adjusts the time periods in 28 statutes that are impacted by the upcoming federal rule changes. Both the statutory and rules changes will take effect on the same day, December 1, 2009.

All time deadlines in the current federal rules were reviewed and deadlines of less than 30 days were changed to multiples of seven days, so that the expiration of the deadline ordinarily would occur on a weekday.

In order to maintain consistency, these statutory and rules changes require changes to the Local Rules of the United States District Court for the District of Massachusetts and to the Rules for United States Magistrate Judges in the United States District Court for the District of Massachusetts, to provide for time periods in multiples of seven days. Accordingly, the Local Rules have been amended as indicated in the attached lists effective on December 1, 2009.

The court has determined that pursuant to 28 U.S.C. § 2071(e) there is an immediate need for the amendment of these Local Rules. The amended rules effective on December 1, 2009 are attached with changes noted.

So Ordered.

Mark L. Wolf

Mark L. Wolf
Chief Judge

Rya W. Zobel

Rya W. Zobel
United States District Judge

Douglas P. Woodlock

Douglas P. Woodlock
United States District Judge

Richard G. Stearns

Richard G. Stearns
United States District Judge

Nancy Gertner

Nancy Gertner
United States District Judge

George A. O'Toole

George A. O'Toole
United States District Judge

Edward F. Harrington

Edward F. Harrington
Senior United States District Judge

Joseph L. Tauro

Joseph L. Tauro
United States District Judge

William G. Young

William G. Young
United States District Judge

Nathaniel M. Gorton

Nathaniel M. Gorton
United States District Judge

Patti B. Saris

Patti B. Saris
United States District Judge

Michael A. Ponsor

Michael A Ponsor
United States District Judge

F. Dennis Saylor IV

F. Dennis Saylor IV
United States District Judge

Morris E. Lasker

Morris E. Lasker
Senior United States District Judge

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS			
LOCAL RULE REVISIONS FOR DEADLINES - EFFECTIVE DEC. 1, 2009			
Rule	Title	Present Time Period	New Time Period
4.1(b)	Service of Process - Dismissal for Failure to Make Service	tenth day	14 th day
5.1(b)	Form and Filing of Papers - Time and Place for Filing	three (3) business days	seven (7) days
5.4 (F)	Filing and Service by Electronic Means - State Court Record in Removal Proceedings	thirty days	28 days
15.1(b)	Addition of New Parties	ten (10) days	14 days
16.1(c)	Early Assessment of cases - Settlement proposals	ten (10) days	14 days
16.1(d)	Early Assessment of Cases - Joint Statement	five (5) business days	seven (7) days
16.3(b)	Case Management Conferences - Obligation of Counsel to Confer	five (5) business days	seven (7) days
16.5(c)	Final Pretrial Conference - Disclosures Preliminary to the Pretrial conference	30 days	28 days
16.5(d)	Final Pretrial Conference - Obligation of Counsel to Confer and Prepare Pretrial Memorandum	fifteen (15) days	14 days
		five (5) business days	seven (7) days
16.5(f)	Final Pretrial Conference - Trial Brief	five (5) business days	seven (7) days
26.2(d)	Sequences of Discovery - Removed and Transferred Actions	twenty (20) days	21 days
35.1(c)	Disclosure of Medical Information in Personal Injury Cases - Removed and Transferred Actions	twenty (20) days	21 days
36.1 (b)	Admissions - Statements in Response to Requests for Admission Following Objection	fifteen (15) days	14 days
40.2(a)(4)	Conflict of Court Appearances - Order of Preference and Notice to Clerks	three (3) days	seven (7) days

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS			
LOCAL RULE REVISIONS FOR DEADLINES - EFFECTIVE DEC. 1, 2009			
Rule	Title	Present Time Period	New Time Period
40.2(d)(5)	Conflict of Court Appearances - Scheduling Policy Regarding Superior Court Cases	three (3) days	seven (7) days
41.1(a)(1)	Dismissal for Want of Prosecution	30 days	28 days
41.1(a)(2)	Dismissal for Want of Prosecution	thirtieth day	28 th day
41.1(a)(3)	Dismissal for Want of Prosecution	30 days	28 days
41.1(b)(1)	Dismissal for Want of Prosecution	twenty (20) days	21 days
		ten (10) business days	14 days
43.1(b)(2)	Trial - Evidence at the Evidentiary Hearing	two (2) court days	seven (7) days
68.2	Settlement	thirty (30) days	28 days
81.1(a)	Removal	thirty (30) days	28 days
81.1(b)	Removal	forty-five (45) days	42 days
83.5.1(a)(4)	Bar of the District Court - Admission to the District Bar	twenty (20) days	21 days
83.6(2)(B)(ii)	Rules of Disciplinary Enforcement - Discipline Imposed by Other Courts	thirty (30) days	28 days
		fifteen (15) days	14 days
83.6(2)(D)	Rules of Disciplinary Enforcement - Discipline Imposed by Other Courts	thirty (30) days	28 days
83.6(5)(C)	Rules of Disciplinary Enforcement - Disciplinary Proceedings	thirty (30) days	28 days
83.6(7)(B)	Rules of Disciplinary Enforcement - Reinstatement	thirty (30) days	28 days
116.5(C)	Status Conferences and Status Reports Procedure - Final Status Conference	three (3) business days	seven (7) days

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS			
LOCAL RULE REVISIONS FOR DEADLINES - EFFECTIVE DEC. 1, 2009			
Rule	Title	Present Time Period	New Time Period
117.1(A)	Pretrial Conferences - Initial Pretrial Conference	thirty (30) days	28 days
117.1(A)(9)	Pretrial Conferences - Initial Pretrial Conference	three (3) days	seven (7) days
203(A)	Bankruptcy Appeals	ten (10) days	14 days

RULES FOR UNITED STATES MAGISTRATE JUDGES IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS			
MAGISTRATE JUDGE LOCAL RULE REVISIONS FOR DEADLINES - EFFECTIVE DEC. 1, 2009			
Rule	Title	Present Time Period	New Time Period
2 (b)	Non-dispositive Pre-trial Matters	10 days	14 days
3 (b)	Dispositive Pre-trial Matters	10 days	14 days
3 (c)	Dispositive Pre-trial Matters	10 days	14 days
		10 days	14 days
4 (c)(3)	Special Master References and Trials by Consent	20 days	21 days
11 (b)	Pretrial Procedures for Class A Misdemeanors	ten days	14 days
		ten days	14 days
12	Record of Proceedings	ten days	14 days