# UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

### **PUBLIC NOTICE**

## **Amendment to Local Rule 40.1 Assignment of Cases**

The United States District Court for the District of Massachusetts has amended Local Rule 40.1 to reflect changes to civil case weights approved by the Judicial Conference of the U.S. Courts. The redline version of the rule changes are listed below. Changes to the Civil Case cover sheet are also attached. These changes are effective immediately.

#### **RULE 40.1 ASSIGNMENT OF CASES**

### (a) Civil Cases.

- (1) Categories of Cases. All civil cases shall be divided into the following three categories for purposes of assignment, based upon the numbered "Nature of the Suit" listed in the civil cover sheet used by the clerk in initiating the civil docket:
  - **I.** <u>160, 400, 410, 441, 470, 535, 830, 835, 850</u> 891, 893, 895, R.23, regardless of nature of suit.
  - **II.** 110, 130, <del>140, 160,</del> 190, 196, <del>230, 240, 290, 320, 362,</del> 370, <del>371, <u>375, 376, 380, 430, 440, 442, 443, 445, 446, 448, <u>470, 710, 720, 740, 751, 790, 820, 840, 850, 895, 896, 899</del></del></u></u>
  - **III.** 120, <u>140</u>, 150, 151, 152, 153, 195, 210, 220, <u>230</u>, <u>240</u>, 245, <u>290</u>, 310, 315, <u>320</u>, 330, 340, 345, 350, 355, 360, <u>362</u>, 365, 367, 368, <u>371</u>, <u>375</u>, <u>380</u>, 385, <u>400</u>, 422, 423, <u>430</u>, 450, 460, 462, 463, 465, 480, <u>485</u>, 490, 510, 530, 540, 550, 555, 560, 625, 690, <u>710</u>, <u>720</u>, <u>740</u>, <u>751</u>, <u>790</u>, <u>791</u>, <u>810</u>, 861-865, <u>870</u>, <u>871</u>, 890, <u>896</u>, <u>899</u>, 950

January 11, 2019

Robert M. Farrell Clerk of Court

## UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

. Title of case (name	of first party on eac	ch side only)								
Category in which the case belongs based upon the numbered nature of suit code listed on the civil cover sheet. (See loc 40.1(a)(1)).									(See local rule	
I. <u>160, 400, </u> 4	110, 441, <del>470,</del> 535, 8	30*, 835* <u>, <mark>850,</mark></u>	-891, 893, <del>895,</del> R.23, F	REGARI	DLESS	OF N	IATUR	E OF SUIT.		
				<del>71, 380,</del>	<del>430,</del> 4	40, 44	12, 443	, 445, 446, 448	3, <u>470, 751, <mark>710,</mark></u>	
368, <u>371,</u> 3	<u>880, <mark>375, 376,</mark> 3</u> 85, 4	<del>100, 4</del> 22, 423, <u>4</u>	<u>30,</u> -450, 460, 462, 46	3, 465, <u>4</u>						
*	Also complete AO	120 or AO 121.	for patent, trademark	or cop	yright	cases	S.			
· · · · · · · · · · · · · · · · · · ·	• .	•	,	nan one	prior ı	elate	d case	has been file	d in this district	
. Has a prior action b	etween the same pa	arties and base	ed on the same claim	ever be	en file	d in th	nis cou	rt?		
				YES			NO			
. Does the complaint §2403)	in this case questi	on the constitu	itionality of an act of		s affe	cting		blic interest?	(See 28 USC	
If so, is the U.S.A. o	r an officer, agent o	or employee of	the U.S. a party?	YES		NO				
				YES		NO				
. Is this case required	l to be heard and d	etermined by a	district court of three	judges	purs	uant t	o title 2	28 USC §2284	1?	
				YES			NO			
							the Co			
				YES			NO			
A. I	f yes, in which divi	sion do <u>all</u> of tl	ne non-governmental		reside	?				
	aetorn Division	П	Contral Division	П			Wost	orn Division	П	
B. If no, in which division do the majority of the plaintiffs or the only parties, exc										
r	esiding in Massach	nusetts reside?	•							
_	Tantowa Divideless	$\Box$	Control District	$\Box$			\A/	ama Distata		
		_		_	ring th	ne atte			_	
	Category in which the 40.1(a)(1)).  I. 160, 400, 4 III. 110, 130, 4 720, 740, 7 IIII. 120, 140, 1 368, 371, 3 690, 710, 7  **  Title and number, if please indicate the formula in the formula	Category in which the case belongs bath 40.1(a)(1)).  I. 160, 400, 410, 441, 470, 535, 8 III. 110, 130, 140, 160, 190, 196, 2	40.1(a)(1)).  I. 160, 400, 410, 441, 470, 535, 830*, 835*, 850,	Category in which the case belongs based upon the numbered nature of st 40.1(a)(1)).  1. 160, 400, 410, 441, 470, 535, 830*, 835*, 850, 891, 893, 895, R.23, F.  II. 110, 130, 140, 160, 190, 196, 230, 240, 290, 320, 362, 370, 375, 376, 3720, 740, 790, 820*, 840*, 395, 896, 899, 860, 870, 871.  III. 120, 140, 150, 151, 152, 153, 195, 210, 220, 230, 240, 245, 290, 310, 368, 371, 380, 375, 376, 385, 400, 422, 423, 430, 450, 460, 462, 46, 690, 710, 720, 740, 790, 751, 791, 861-865, 870, 871, 890, 896, 898  *Also complete AO 120 or AO 121. for patent, trademark  Title and number, if any, of related cases. (See local rule 40.1(g)). If more the please indicate the title and number of the first filed case in this court.  Has a prior action between the same parties and based on the same claim  Does the complaint in this case question the constitutionality of an act of §2403)  If so, is the U.S.A. or an officer, agent or employee of the U.S. a party?  Is this case required to be heard and determined by a district court of three the same parties in this action, excluding governmental agencies of the Massachusetts ("governmental agencies"), residing in Massachusetts reside?	Category in which the case belongs based upon the numbered nature of suit code 40.1(a)(1)).  1. 160. 400. 410, 441, 470, 535, 830*, 835*, 850. 891, 893, 896, R.23, REGARD II. 110, 130, 140, 160, 190, 196, 230, 240, 290, 320, 362, 370, 375, 376, 371, 380, 720, 740, 790, 820*, 840*, 895, 896, 899, 860, 870, 874.  1II. 120, 140, 150, 151, 152, 153, 195, 210, 220, 230, 240, 245, 290, 310, 315, 33, 368, 371, 380, 375, 376, 385, 400, 422, 423, 430, 450, 460, 462, 463, 465, 690, 710, 720, 740, 790, 751, 751, 861, 865, 870, 871, 890, 896, 899, 950.  *Also complete AO 120 or AO 121. for patent, trademark or cop Title and number, if any, of related cases. (See local rule 40.1(g)). If more than one please indicate the title and number of the first filed case in this court.  Has a prior action between the same parties and based on the same claim ever bed Section in this case question the constitutionality of an act of congres §2403)  YES  Does the complaint in this case question the constitutionality of an act of congres §2403)  YES  Is this case required to be heard and determined by a district court of three judges of the U.S. a party?  YES  Do all of the parties in this action, excluding governmental agencies of the United Massachusetts ("governmental agencies"), residing in Massachusetts reside in the same case of the United Massachusetts ("governmental agencies"), residing in Massachusetts reside in the case of the United Massachusetts ("governmental agencies"), residing in Massachusetts reside in the case of the United Massachusetts ("governmental agencies"), residing in Massachusetts reside in the case of the United Massachusetts reside ("governmental agencies"), residing in Massachusetts reside ("governmental agencies"),	Category in which the case belongs based upon the numbered nature of suit code listed 40.1(a)(1)).  1. 160, 400, 410, 441, 470, 535, 830*, 835*, 850, 891, 893, 895, R.23, REGARDLESS.  11. 110, 130, 140, 180, -190, 196, 230, 240, 290, 320, 362, 370, 375, 376, 371, 380, 430, 4720, 740, 790, 820*, 840*, 895, 895, 889, 880, 870, 874.  111. 120, 140, 150, 151, 152, 153, 195, 210, 220, 230, 240, 245, 290, 310, 315, 320, -33 368, 371, 380, 375, 376, 376, 376, 371, 380, 375, 376, 371, 380, 375, 376, 371, 380, 375, 376, 385, 400, 422, 423, 430, 450, 460, 462, 463, 465, 460, 462, 463, 465, 460, 470, 770, 770, 740, 790, 751, 791, 861-865, 870, 871, 890, 896, 899, 950.  *Also complete AO 120 or AO 121. for patent, trademark or copyright  Title and number, if any, of related cases. (See local rule 40.1(g)). If more than one prior release indicate the title and number of the first filed case in this court.  Has a prior action between the same parties and based on the same claim ever been file  YES   Does the complaint in this case question the constitutionality of an act of congress affe §2403)  YES   If so, is the U.S.A. or an officer, agent or employee of the U.S. a party?  YES   Do all of the parties in this action, excluding governmental agencies of the United State Massachusetts ("governmental agencies"), residing in Massachusetts reside in the same of the United State Massachusetts ("governmental agencies"), residing in Massachusetts reside in the same of the United State Massachusetts ("governmental agencies"), residing in Massachusetts reside in the same of the United State Massachusetts ("governmental agencies"), residing in Massachusetts reside in the same of the United State Massachusetts reside in the same of the United State Massachusetts ("governmental agencies"), residing in Massachusetts reside in the same of the United State Massachusetts reside?  Eastern Division  Central Division	Category in which the case belongs based upon the numbered nature of suit code listed on the 40.1(a)(1)).  I. 160, 400, 410, 441, 470, 535, 830*, 835*, 850, 891, 893, 895, R.23, REGARDLESS OF M.  III. 110, 130, 440, 460, 190, 196, 230, 240, 280, 320, 362, 370, 375, 376, 371, 380, 430, 440, 4720, 740, 780, 820*, 840*, 835, 836, 839, 880, 870, 871.  III. 120, 140, 150, 151, 152, 153, 195, 210, 220, 230, 240, 245, 290, 310, 315, 320, 330, 344, 368, 371, 380, 375, 376, 385, 400, 422, 423, 430, 450, 460, 462, 463, 465, 480, 485, 496, 990, 710, 720, 740, 790, 781, 791, 861-865, 870, 871, 890, 896, 898, 980.  *Also complete AO 120 or AO 121. for patent, trademark or copyright cases.  Title and number, if any, of related cases. (See local rule 40.1(g)). If more than one prior related please indicate the title and number of the first filed case in this court.  Has a prior action between the same parties and based on the same claim ever been filed in the	Category in which the case belongs based upon the numbered nature of suit code listed on the civil 40.1(a)(1)).	Category in which the case belongs based upon the numbered nature of suit code listed on the civil cover sheet. 40.1(a)(1)).  1. 160, 400, 410, 441, 470, 535, 830*, 835*, 850, 891, 893, 895, R.23, REGARDLESS OF NATURE OF SUIT.  II. 110, 130, 140, 160, 190, 196, 230, 240, 290,320,362, 370, 375, 376, 374, 380, 430, 440, 442, 443, 445, 446, 44f 720, 740, 780, 820*, 840*, 895, 896, 899, 860, 870, 874.  III. 120, 140, 150, 151, 152, 153, 195, 210, 220, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 368, 371, 380, 375, 376, 376, 385, 400, 422, 423, 430, 450, 460, 462, 463, 465, 480, 485, 490, 510, 530, 540, 550, 590, 710, 720, 740, 790, 741, 791, 861-865, 870, 871, 890, 896, 899, 950.  *Also complete AO 120 or AO 121. for patent, trademark or copyright cases.  Title and number, if any, of related cases. (See local rule 40.1(g)). If more than one prior related case has been file please indicate the title and number of the first filed case in this court.  Has a prior action between the same parties and based on the same claim ever been filed in this court?  YES	

a separate sheet identifying the motions)

	YES	s A	NO	
(PLEASE TYPE OR PRINT)				
ATTORNEY'S NAME				
ADDRESS				
TELEPHONE NO.				
·				(Catagory Forms) 2049
				(CategoryForm9-2018.wpd)

## UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

1.	Title o	f case (na	me of first party on ea	ch side only	<u> </u>						
2.	Category in which the case belongs based upon the numbered nature of suit code listed on the civil cover sheet. (See local rule 40.1(a)(1)).										
	I. 160, 400, 410, 441, 535, 830*, 835*, 850, 891, 893, R.23, REGARDLESS OF NA							NATURI	E OF SUIT.		
	_	II.	110, 130, 190, 196, 370, 375, 376, 440, 442, 443, 445, 446, 448, 470, 751, 820*, 840*, 895, 896, 899.								
	_	III.	120, 140, 150, 151, 152, 153, 195, 210, 220, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 362 365, 367, 368, 371, 380, 385, 422, 423, 430, 450, 460, 462, 463, 465, 480, 485, 490, 510, 530, 540, 550, 555, 560 625, 690, 710, 720, 740, 790, 791, 861-865, 870, 871, 890, 950.								
			*Also complete AC	120 or AO 1	21. for patent, trademark	or cop	yright cas	ses.			
3.					cal rule 40.1(g)). If more a first filed case in this co		e prior re	lated cas	e has been fil	ed in this	
4.	Has a	prior action	on between the same	parties and I	pased on the same claim	ever be	en filed ir	n this cou	ırt?		
						YES		NO			
5.	Does t §2403)		aint in this case quest	ion the cons	stitutionality of an act of o	congres	s affectin	g the pul	olic interest?	(See 28 USC	
	If so, i	s the U.S.	A. or an officer, agent	or employee	e of the U.S. a party?	YES		NO			
						YES		NO			
6.	Is this	case requ	ired to be heard and	determined l	by a district court of three	e judge:	s pursuan	nt to title	28 USC §2284	?	
						YES		NO			
7.					ernmental agencies of the ing in Massachusetts res						
						YES		NO			
		A. If yes, in which division do all of the non-governmental parties reside?									
			Eastern Division		Central Division			West	tern Division		
	B. If no, in which division do the majority of the plaintiffs or the only parties, excluding governmental age residing in Massachusetts reside?								ntal agencies,		
			Eastern Division		Central Division			West	tern Division		
8.			of Removal - are there		ns pending in the state co	urt req	uiring the	attention	of this Cour	? (If yes,	
	Subiiii	t а <del>зе</del> рага	te sheet identifying th	e monons)		YES		NO			
(PL	EASE T	YPE OR P	RINT)								

(CategoryForm9-2018.wpd )