

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

STANDING ORDER RE: BRIEFING OF SUMMARY JUDGMENT MOTIONS

December 15, 2021

Boal, M.J.

The following requirements apply to all summary judgment motions, and all related briefs and submissions, filed in consent cases before U.S. Magistrate Judge Jennifer C. Boal:

1. **Reply Briefs:** The moving party may file a reply, within seven days of the filing of the opposition, not to exceed twelve pages, double-spaced. Leave of court is required for a longer reply, a longer period of time to file a reply, or a surreply.
2. **Cross-Motions:** If both sides are filing motions for summary judgment, absent leave of court, they shall do so in the following manner:
  - a. Plaintiff shall file its motion, with a memorandum not to exceed twenty pages, on or before the date set forth in the Scheduling Order governing the case;
  - b. Within thirty days of Plaintiff's submission pursuant to paragraph 2(a), Defendant shall file a single memorandum as both its memorandum in opposition to Plaintiff's motion and its memorandum in support of its cross-motion, not exceed thirty pages;
  - c. Within twenty-one days of Defendant's submission pursuant to paragraph 2(b), Plaintiff shall file a single memorandum as both its reply in support of its motion and its opposition to Defendant's cross-motion, not to exceed twenty pages; and
  - d. Within ten days of Plaintiff's submission pursuant to paragraph 2(c), Defendant may file a single memorandum as both its reply in support of its cross-motion and its surreply in opposition to Plaintiff's motion, not to exceed fifteen pages.
3. **Statement of Undisputed Facts:** The parties shall file one combined statement of material undisputed facts in which the opposing party shall reprint the moving party's statement of material facts and shall set forth a response to each directly below the appropriate numbered paragraph. If there are cross-motions, Plaintiff shall list its facts in a numbered list under the heading "Plaintiff's Statement of Material Undisputed Facts" and Defendant shall present its responses beneath each listed fact. In the same document, Defendants shall list its facts under the heading "Defendant's Statement of Material Undisputed Facts," numbering its facts consecutively beginning with the number following the last number appearing in the Plaintiff's Statement, and Plaintiff shall present its responses beneath each listed fact.

The consolidated statement of material undisputed facts shall be filed concurrently with the memorandum filed by the party opposing summary judgment, or in the case of cross-motions, concurrently with the Plaintiff's reply/opposition brief pursuant to paragraph 2(c) above. In addition, the parties must also email the Deputy Clerk the resulting single consolidated statement of facts for the Court's review in Microsoft Word.

4. **Exhibits:** Each party shall file its exhibits in chronological order, with a descriptive table of contents. Opposing parties shall cite to exhibits already filed, rather than filing duplicate copies. For example, the record before the Court should contain only one copy of any relevant contract, patent, ordinance, or insurance policy; parties referencing the document thereafter shall cite to its original location in the record, and shall not submit additional identical copies with their subsequent filings.
5. **Courtesy Copies:** The parties shall submit courtesy copies of their summary judgment papers to the Clerk's Office within two business days after filing the papers on CM/ECF. **The documents must be bound in a binder with exhibits tabbed, clearly marked as a Courtesy Copy, and contain the headers assigned by CM/ECF.**
6. **ECF Citations:** When citing to other documents filed on the Court's electronic docket in the case (*e.g.*, the complaint, another party's memorandum of law, or an exhibit in a prior submission), parties shall use the citation format "Docket No. \_\_\_ at \_\_\_" in order to ensure that such citations are recognized by the ECF's Citation Links feature. This citation convention shall be used instead of citation formats that use the title of the cited document (*e.g.*, the Bluebook format for citing Court and litigation documents).

SO ORDERED.

/s/ Jennifer C. Boal  
JENNIFER C. BOAL  
U.S. MAGISTRATE JUDGE