

INDIVIDUAL PRACTICES OF JUDGE THOMAS P. GRIESA

Unless otherwise ordered by Judge Griesa, matters before him shall be conducted in accordance with the following practices.

1. Communications with Chambers

A. Letters. Unless there is a request to file a letter under seal or a letter contains sensitive or confidential information, letters to the court should be filed electronically on ECF. Correspondence solely between parties or their counsel or otherwise not addressed to the court may not be filed on ECF or otherwise sent to the court (except as exhibits to an otherwise properly filed document).

B. Faxes. Faxes to chambers are not permitted without prior permission.

C. Docketing, Scheduling, and Calendar Matters. For docketing, scheduling, and calendar matters, call the deputy clerk at 212-805-0101 between 9:30 a.m. and 5:30 p.m.

D. Letter-Motions. Letter-motions may be filed via ECF if they comply with the S.D.N.Y. Local Rules and the S.D.N.Y. "Electronic Case Filing Rules and Instructions."

E. Requests for Adjournments or Extensions of Time. All requests for adjournments or extensions of time must be made in writing and filed on ECF as letter-motions. All requests for adjournments or extensions of time must state (1) the original date, (2) the number of previous requests for adjournment or extension, (3) whether these previous requests were granted or denied, and (4) whether the adversary consents, and, if not, the reasons given by the adversary for refusing to consent. If the requested adjournment or extension affects any other scheduled dates, a proposed Revised Scheduling Order must be attached. Absent an emergency, all requests for adjournments or extensions shall be made at least 48 hours prior to the scheduled appearance or deadline.

2. Motions

A. Pre-Motion Conferences in Civil Cases. For discovery motions, follow Local Civil Rule 37.2. For motions other than discovery motions, pre-motion conferences are not required.

B. Courtesy Copies. One courtesy copy of all motion papers, marked as such, should be submitted to chambers. The courtesy copy should show the papers as they appear on ECF, including the docket number of each filing.

C. Memoranda of Law. Memoranda of law in support of and in opposition to motions are limited to 25 pages, and reply memoranda are limited to 10 pages. Parties may contact the court if they wish to exceed these page limits. Supplemental memoranda may be filed only with prior permission of the court. Memoranda of 10 pages or more shall contain a table of contents.

D. Filing of Motion Papers. Motion papers shall be filed promptly after service.

E. Oral Argument on Motions. Parties may request oral argument by letter at the time their moving, opposition, or reply papers are filed. The court will determine whether argument will be heard and, if so, will advise counsel of the argument date. If counsel provides the court with any materials during oral argument, counsel must also provide a copy of those materials to the law clerk.

3. Confidentiality Provisions in Civil Cases

A. Protective Orders in Civil Cases. Any party requesting a protective order to seal documents or other information shall file a motion supported by competent evidence showing that sealing is both essential and narrowly tailored. All protective orders shall comply with this entire Rule 3, and are subject to ongoing review and reexamination by the court.

B. Filing Materials under Seal in Civil Cases. Notwithstanding any protective order, any party seeking to file materials under seal (whether as part of a motion, a pretrial filing, or other submission) is required to move for permission to file the materials under seal contemporaneously. The party shall do so according to the following procedures:

- i. **ECF cases.** For ECF cases, the party shall file the notice of motion and redacted versions of the briefing and any supporting materials on ECF, and shall submit unredacted copies to chambers, specifying those portions sought to be sealed and setting forth the reasons why sealing is appropriate under the circumstances. If the court grants the motion to file under seal, the party shall file unredacted papers under seal in conformity with the procedures set forth by the Clerk of Court. If the motion is denied, the party may withdraw the motion without prejudice to refile, or maintain the motion by filing unredacted copies of the briefing and supporting materials on ECF.
- ii. **Non-ECF cases.** For non-ECF cases, the party shall file the notice of motion and redacted copies of the briefing and supporting materials with the Clerk of the Court, and shall submit unredacted copies to chambers, specifying those portions sought to be sealed and setting forth the reasons why sealing is appropriate under the circumstances. Upon the court's ruling, the party shall either withdraw the motion without prejudice to renewal, or file unredacted versions of the briefing and supporting materials with the Clerk of the Court.