

FILED  
Clerk  
District Court

DEC 22 1998

For The Northern Mariana Islands

By FMC  
(Deputy Clerk)

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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE NORTHERN MARIANA ISLANDS  
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10 In the Matter of the ) General Order No. 98-00004  
11 )  
12 AMENDMENT OF THE ) ORDER AMENDING  
13 LOCAL RULES OF COURT ) LOCAL RULES 7.1.a and  
14 ) 7.1.c (Motion Hearing Day and  
15 ) Due Days for Memoranda)  
16 \_\_\_\_\_ )

17 IN ACCORDANCE with the public notice previously given,

18 IT IS ORDERED that Local Rules 7.1.a and 7.1.c, governing motion hearing  
19 days and the day of the week upon which memoranda in support of or opposition to  
20 a motion must be filed, be and hereby are amended to read as follows:

21 "a. Motion Day. Motion day shall be Thursday of each week. If a  
22 Thursday is a holiday, the motion shall be calendared for the following  
23 Thursday. Unless the judge orders otherwise sua sponte or on motion,  
24 the clerk shall calendar motions in accordance with this Rule.

25 Oral argument is at the discretion of the court but will normally  
26 be heard unless the court enters an order indicating otherwise."

1            "c. Hearing Date; Opposition and Reply.

2            1. Hearing Date. Unless the party moves for a different hearing  
3            date, a motion will be heard on the fourth Thursday after it is filed, not  
4            including the Thursday or Friday of the week in which the motion is  
5            filed. The first page of every motion, opposition, and reply shall contain  
6            the date and time of the hearing.

7            2. Opposition. Any opposition to the motion shall be filed and  
8            served by the close of business (3:30 p.m.) on the Thursday of the  
9            second full week after the week in which the motion was filed. The  
10            opposition shall consist of a legal memorandum or brief and, when  
11            appropriate, affidavits or declarations under penalty of perjury. A party  
12            not opposing a motion shall file a statement of no opposition within the  
13            time provided above. Failure to file such a statement may be deemed an  
14            admission that the motion is meritorious.

15            3. Reply. The movant shall serve and file and reply to the  
16            opposition by the close of business (3:30 p.m.) on the first Thursday  
17            after the opposition was filed.

18            (For example, if a motion is filed on Tuesday, the 2nd, the  
19            opposition would be due on Thursday, the 18th, the reply would be due  
20            on Thursday, the 25th, and the motion would be heard on the following  
21            Thursday. If a motion is filed on Friday, the 5th, the opposition and  
22            reply would remain due on the dates given above.)"

23            The effect of this amendment is to change the motion hearing day, and the day  
24            of the week upon which memoranda are to be filed, from Friday to Thursday.

25            IT IS FURTHER ORDERED that this amendment will take effect on January  
26            4, 1999, but that motions and due dates already set or set before that date will remain  
27            as set or will be set according to the existing rules, and only motions filed on or after  
28            January 4, 1999, will be affected by this amendment.

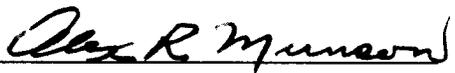
29            The court will continue its practice of attempting to accommodate attorneys

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who encounter scheduling conflicts, consistent with Local Rule 1.4.

IT IS SO ORDERED.

DATED this 22nd day of December, 1998, at Saipan, Commonwealth of the  
Northern Mariana Islands.

  
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Alex R. Munson  
Judge