

GENERAL ORDER NO. 00-4

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

GENERAL ORDER AMENDING LOCAL RULES CV-5, CV-10 and CV-11 AND ADDING LOCAL RULE CV-77

It is hereby ORDERED that the following amendments to the local rules, having been approved by the judges of the court, are adopted for immediate implementation¹:

LOCAL RULE CV-5 Service and Filing of Pleadings and Other Papers

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(e) Service and Notice by Facsimile;

[Note: former section (e)(1) of this rule now appears as Local Rule CV-77].

~~(1) **By the Clerk.** The clerk may serve and give notice of judicial orders and judgments by facsimile, in lieu of service and notice by mail, to any person who has a written request on file to receive service and notice of judicial orders and judgments from the clerk by facsimile. This request remains effective in all subsequent litigation involving the person who filed the request. However, that person may withdraw his or her request by sending written notice to the clerk.~~

~~(A) Service and notice of judicial orders and judgments are complete when the clerk obtains electronic confirmation of the receipt of the~~

¹New language appears in underlined text; deleted language appears in ~~strikeout~~ text.

~~transmission. Service by facsimile by the clerk that occurs after 5:00 p.m. on any business day is deemed effective as of the following business day.~~

~~(2) By Counselor Parties.~~ Parties may serve copies of pleadings and other case related documents to other parties by facsimile in lieu of service and notice by mail. Such service is deemed complete as of the telephonic transfer to the recipient's facsimile machine or telecopier. Service by facsimile after 5:00 p.m. local time of the recipient shall be deemed served on the following day.

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LOCAL RULE CV-10 Form of Pleadings

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(c) Corporate disclosure statement. Any non-governmental corporate party to an action in this court shall file a "corporate disclosure statement" identifying all its parent corporations and listing any publicly held company that owns 10% or more of the party's stock. A party shall file the corporate disclosure statement with its initial pleading filed in the court, and shall supplement the statement within a reasonable time of any change in the information.

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LOCAL RULE CV-11 Signing of Pleadings, Motions and Other Papers

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(c) **Signing the Pleadings.** Every document filed must be signed by or by permission of, the attorney-in-charge. Requests for postponement of the trial shall be signed by the attorney of

record and the party making the request.

- (1) *Required Information.* Under the signature shall appear the
- (A) attorney's individual name;
 - (B) designation "attorney-in-charge";
 - (C) state bar number;
 - (D) office address including zip code; ~~and~~
 - (E) telephone number with area code; ~~and.~~
 - (F) telephone number with area code of facsimile machine, if available (see Local Rule CV-77).

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LOCAL RULE CV-77 District Courts and Clerks

Notice of Orders and Judgments. The clerk may serve and give notice of judicial orders and judgments by facsimile, in lieu of service and notice by mail, to any person who has provided a facsimile machine phone number with his/her pleadings as specified in Local Rule CV-11(c)(1) (F). By providing the court with a facsimile number, the party submitting the pleadings is deemed to have consented to receive service and notice of judicial orders and judgments from the clerk by facsimile. Persons who wish to be excluded from receiving judicial notices by facsimile may do so by sending a written notice to the clerk.

- (A) Notice of judicial orders and judgments is complete when the clerk obtains electronic confirmation of the receipt of the transmission. Notice by facsimile by the clerk that occurs after 5:00 p.m. on any business day is deemed effective as of the following business day.

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Signed this _____ day of March, 2000.

FOR THE COURT:

RICHARD A. SCHELL
Chief Judge