

Proposed version of LR 3-12(b) - redline

Administrative Motion to Consider Whether Cases Should be Related. Whenever a party knows or learns that an action⁵ filed in or removed to this district is (or the party believes that the action may be) related to an action which is or was pending in this District as defined in Civil L.R. 3-12(a), the party must promptly file in the lowest-numbered case an Administrative Motion to Consider Whether Cases Should be Related, pursuant to Civil L.R. 7-11. The motion must be accompanied by a proof of service, compliant with Civil L.R. 5-5, on all known parties to each apparently related action. The party must also file a copy of the motion in each apparently related action using the “Notice (Other)” event in ECF. ~~In addition to complying with Civil L.R. 7-11, a copy of the motion, together with proof of service pursuant to Civil L.R. 5-5, must be served on all known parties to each apparently related action. A courtesy copy of the motion must be lodged with the assigned Judge in each apparently related case under Civil L.R. 5-1(d)(7).~~

Proposed version of LR 3-12(b) - clean

Administrative Motion to Consider Whether Cases Should be Related. Whenever a party knows or learns that an action filed in or removed to this district is (or the party believes that the action may be) related to an action which is or was pending in this District as defined in Civil L.R. 3-12(a), the party must promptly file in the lowest-numbered case an Administrative Motion to Consider Whether Cases Should be Related, pursuant to Civil L.R. 7-11. The motion must be accompanied by a proof of service, compliant with Civil L.R. 5-5, on all known parties to each apparently related action. The party must also file a copy of the motion in each apparently related action using the “Notice (Other)” event in ECF.

Proposed version of LR 3-15 - redline

3-15.—Disclosure of Conflicts~~and~~, Interested Entities ~~or~~and Persons, and Citizenship

(a) Requirements.—Each non-governmental party must:

- (1) file a “Certification of Conflicts, ~~and~~ Interested Entities or Persons, and Citizenship” with its first appearance, filing, or other request addressed to the court;
- (2) file such Certification as a separate document; and
- (3) promptly file a supplemental Certification if any required information changes.

(b) Contents.

(1) The Certification must disclose whether the party is aware of any conflict, financial or otherwise, that the presiding judge may have with the parties to the litigation.

(2) The Certification must also disclose any persons, associations of persons, firms, partnerships, corporations (including, but not limited to, parent corporations), or any other entities, other than the parties themselves, known by the party to have either: (i) a financial interest of any kind in the subject matter in controversy or in a party to the proceeding; or (ii) any other kind of interest that could be substantially affected by the outcome of the proceeding. This includes an individual or entity (other than a party or its counsel of record) that provides funding for the litigation and that has a financial interest in the outcome of the litigation. Disclosure of the existence of a litigation funding agreement does not require the disclosure of the agreement itself absent court order.

(3) In an action in which the Court’s jurisdiction is based on diversity under 28 U.S.C. § 1332(a), each party must include a statement of citizenship in their Certification. The statement must name—and identify the citizenship of—every individual or entity whose citizenship is attributed to that party.

(i) If a party is a limited partnership, limited liability partnership, limited corporation, or limited liability corporation, the statement must disclose the identity and citizenship of such entity’s members. If any of those members is itself a limited partnership, limited liability partnership, limited corporation, or limited liability corporation, the statement must disclose the identity and citizenship of that member’s members. This disclosure must continue through any chain of membership until all persons or entities whose citizenship is attributed to the party have been identified.

(ii) If any later event might affect the court’s jurisdiction under § 1332(a), the parties must file an updated version of their Certification.

(4) For purposes of this Rule, the terms “proceeding” and “financial interest” shall have the meaning assigned by 28 U.S.C. § 455 (d)(1), (3) and (4), respectively.

(c) Form of Certification.

(1) If there is a conflict about which the party is aware, the Certification shall state:

“Pursuant to Civil L.R. 3-15, the undersigned certifies that it is believed that the court has a conflict with (List names). ~~Signature, Attorney of Record or Pro Se Party.~~”

(2) If there is an interest to be disclosed, the Certification shall state:

“Pursuant to Civil L.R. 3-15, the undersigned certifies that the following listed persons, associations of persons, firms, partnerships, corporations (including, but not limited to, parent corporations), or other entities (i) have a financial interest in the subject matter in controversy or in a party to the proceeding, or (ii) have a non-financial interest in that subject matter or in a party that could be substantially affected by the outcome of this proceeding: (List names and identify their connection and interest). ~~Signature, Attorney of Record or Pro Se Party.~~”

(3) If there is no conflict or interest to be disclosed, the Certification shall state:

“Pursuant to Civil L.R. 3-15, the undersigned certifies that as of this date, there is no conflict or interest (other than the named parties) to report. ~~Signature,~~

(4) In an action in which the Court’s jurisdiction is based on diversity under 28 U.S.C. § 1332(a), if there is no individual or entity whose citizenship may be attributed to the party submitting the Certification pursuant to subsection (b)(3), the Certification shall state: “Pursuant to Civil L.R. 3-15, the undersigned certifies that as of this date, there is no individual or entity whose citizenship is attributed to the party submitting this certification.”

(5) In an action in which the Court’s jurisdiction is based on diversity under 28 U.S.C. § 1332(a), if there is an individual or entity whose citizenship may be attributed to the party submitting the Certification pursuant to subsection (b)(3), the Certification shall state: “Pursuant to Civil L.R. 3-15, the undersigned certifies that as of this date, the citizenship of the following individuals or entities is attributed to the party submitting this certification:

Individual/Entity	Citizenship of Individual/Entity
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The party’s Certification shall be signed by the Attorney of Record or Pro Se Party.”.

Proposed version of LR 3-15 - clean

3-15. Disclosure of Conflicts, Interested Entities and Persons, and Citizenship

(a) **Requirements.** Each non-governmental party must:

- (1) file a “Certification of Conflicts, ~~and~~ Interested Entities or Persons, and Citizenship” with its first appearance, filing, or other request addressed to the court;
- (2) file such Certification as a separate document; and
- (3) promptly file a supplemental Certification if any required information changes.

(b) **Contents**

- (1) The Certification must disclose whether the party is aware of any conflict, financial or otherwise, that the presiding judge may have with the parties to the litigation.
- (2) The Certification must also disclose any persons, associations of persons, firms, partnerships, corporations (including, but not limited to, parent corporations), or any other entities, other than the parties themselves, known by the party to have either: (i) a financial interest of any kind in the subject matter in controversy or in a party to the proceeding; or (ii) any other kind of interest that could be substantially affected by the outcome of the proceeding. This includes an individual or entity (other than a party or its counsel of record) that provides funding for the litigation and that has a financial interest in the outcome of the litigation. Disclosure of the existence of a litigation funding agreement does not require the disclosure of the agreement itself absent court order.
- (3) In an action in which the Court’s jurisdiction is based on diversity under 28 U.S.C. § 1332(a), each party must include a statement of citizenship in their Certification. The statement must name—and identify the citizenship of—every individual or entity whose citizenship is attributed to that party.
 - (i) If a party is a limited partnership, limited liability partnership, limited corporation, or limited liability corporation, the statement must disclose the identity and citizenship of such entity’s members. If any of those members is itself a limited partnership, limited liability partnership, limited corporation, or limited liability corporation, the statement must disclose the identity and citizenship of that member’s members. This disclosure must continue through any chain of membership until all persons or entities whose citizenship is attributed to the party have been identified.
 - (ii) If any later event might affect the court’s jurisdiction under § 1332(a), the parties must file an updated version of their Certification.
- (4) For purposes of this Rule, the terms “proceeding” and “financial interest” shall have the meaning assigned by 28 U.S.C. § 455 (d)(1), (3) and (4), respectively.

(c) **Form of Certification.**

- (1) If there is a conflict about which the party is aware, the Certification shall state: “Pursuant to Civil L.R. 3-15, the undersigned certifies that it is believed that the court has a conflict with (List names).”

(2) If there is an interest to be disclosed, the Certification shall state: “Pursuant to Civil L.R. 3-15, the undersigned certifies that the following listed persons, associations of persons, firms, partnerships, corporations (including, but not limited to, parent corporations), or other entities (i) have a financial interest in the subject matter in controversy or in a party to the proceeding, or (ii) have a non-financial interest in that subject matter or in a party that could be substantially affected by the outcome of this proceeding: (List names and identify their connection and interest).

(3) If there is no conflict or interest to be disclosed, the Certification shall state: “Pursuant to Civil L.R. 3-15, the undersigned certifies that as of this date, there is no conflict or interest (other than the named parties) to report.

(4) In an action in which the Court’s jurisdiction is based on diversity under 28 U.S.C. § 1332(a), if there is no individual or entity whose citizenship may be attributed to the party submitting the Certification pursuant to subsection (b)(3), the Certification shall state: “Pursuant to Civil L.R. 3-15, the undersigned certifies that as of this date, there is no individual or entity whose citizenship is attributed to the party submitting this certification.”

(5) In an action in which the Court’s jurisdiction is based on diversity under 28 U.S.C. § 1332(a), if there is an individual or entity whose citizenship may be attributed to the party submitting the Certification pursuant to subsection (b)(3), the Certification shall state: “Pursuant to Civil L.R. 3-15, the undersigned certifies that as of this date, the citizenship of the following individuals or entities is attributed to the party submitting this certification:

Individual/Entity

Citizenship of Individual/Entity

The party’s Certification shall be signed by the Attorney of Record or Pro Se Party.