

NYND LOCAL RULES - DAYS TO DAYS POTENTIAL CHANGES				
	NYND Local Rule	Language	Committee Recommendation	Potential Affect on Procedures
1	4.1(b)	Upon the filing of a complaint, the Clerk shall issue to the plaintiff General Order 25 which requires, among other things, service of process upon all defendants within sixty (60) days of the filing of the complaint.	No change	No change
2	5.4(b) 2 (ii)	The Order shall afford the prisoner thirty (30) days in which to comply with the terms of same. If the prisoner fails to comply fully with the terms of such Order within such period of time, the Court shall dismiss the action.	No change	No change
3	7.1	Unless the Court directs otherwise, the moving party shall make its motion returnable at the next regularly scheduled motion date at least thirty-one days from the date the moving party files and serves its motion.	No change	No change
4	7.1	Generally, the return date that the Clerk selects should not exceed 30 days from the date of filing.	No change	No change
5	7.1(a)(4)	Caveat: The granting of the motion does not constitute the filing of the amended pleading. After the Court grants leave, unless the Court otherwise orders, the moving party must file and serve the original signed amended pleading within ten (10) days of the Order granting the motion.	Change to 14 days.	No substantive change because prior 10 day deadline was 10 business days. The new 14 day deadline is in calendar days.
6	7.1(b)(1)	1. Dispositive Motions. The moving party must file all motion papers with the Court and serve them upon the other parties not less than THIRTY-ONE DAYS prior to the return date of the motion. The Notice of Motion must state the return date that the moving party has selected.	No change	No change
7	7.1(b)(1)	The party opposing the motion must file its opposition papers with the Court and serve them upon the other parties not less than SEVENTEEN DAYS prior to the return date of the motion	No change	No change
8	7.1(b)(1)	The moving party must file its reply papers, which may not exceed (10) pages and with the Court and serve them upon the other parties not less than ELEVEN DAYS prior to the return date of the motion.	No change	No change
9	7.2	Unless the Court orders otherwise, the moving party must file all motion papers with the Court and serve them upon the other parties not less than THIRTY-ONE DAYS prior to the return date of the motion.	No change	No change
10	7.2	The party opposing the motion must file its Opposition papers with the Court and serve them upon the other parties not less than SEVENTEEN DAYS prior to the return date of the motion	No change	No change
11	7.3	Any party who does not intend to oppose a motion, or a movant who does not intend to pursue a motion, shall promptly notify the Court and the other parties of such intention. They should provide such notice at the earliest practicable date, but in any event no less than FOURTEEN CALENDAR DAYS prior to the scheduled return date of the motion, unless for good cause shown.	Eliminate the word "calendar"	No substantive change because all days are now calendar days.

NYND LOCAL RULES - DAYS TO DAYS POTENTIAL CHANGES				
	NYND Local Rule	Language	Committee Recommendation	Potential Affect on Procedures
12	7.3C	A party may file and serve cross-motions at the time it files and serves its opposition papers to the original motion, i.e., not less than SEVENTEEN DAYS prior to the return date of the motion. If a party makes a cross-motion, it must join its cross motion brief with its opposition brief, and this combined brief may not exceed twenty-five (25) pages in length, exclusive of exhibits. A separate brief in opposition to the original motion is not permissible.	No change	No change
13	7.3C	The original moving party may reply in further support of the original motion and in opposition to the cross-motion with a reply/opposition brief that does not exceed twenty-five (25) pages in length, exclusive of exhibits. The original moving party must file its reply/opposition papers with the Court and serve them on the other parties not less than ELEVEN DAYS prior to the return date of the original motion.	No change	No change
14	7.1D(8)	The parties shall file any motion to compel discovery that these Rules authorize no later than TEN CALENDAR DAYS after the discovery cut-off date. See L.R. 16.2. A party shall accompany any motion that it files pursuant to Fed. R. Civ. P. 37 with the discovery materials to which the motion relates if the parties have not previously filed those materials with the Court.	Change to 14 days.	Change would allow the bar 4 additional days past the discovery cut-off date to file a motion to compel.
15	7.1(g)	(g) Motion for Reconsideration. Unless Fed. R. Civ. P. 60 otherwise governs, a party may file and serve a motion for reconsideration or reargument no later than TEN CALENDAR DAYS after the entry of the challenged judgment, order, or decree. All motions for reconsideration shall conform with the requirements set forth in L.R. 7.1(a)(1) and (2). The briefing schedule and return date applicable to motions for reconsideration shall conform to L.R. 7.1(b)(2). A motion for reconsideration of a Magistrate Judge's determination of a nondispositive matter shall toll the ten (10) day time period to file objections pursuant to L.R. 72.1(b). The Court will decide motions for reconsideration or reargument on submission of the papers, without oral argument, unless the Court directs otherwise.	Change to 14 days.	Change would allow the bar 4 additional days after the entry of judgment to file a motion for reconsideration.
16	7.1(j)	(j) Adjournments of Dispositive Motions After the moving party files and serves its motion papers requesting dispositive relief, but before the time that the opposing party must file and serve its opposing papers, the parties may agree to an adjournment of the return date for the motion. However, any such adjournment may not be for more than THIRTY-ONE DAYS from the return date that the moving party selected. In addition, the parties may agree to new dates for the filing and service of opposition and reply papers. However, the parties must file all papers with the Court and serve them upon the other parties not less than ELEVEN DAYS prior to the newly selected return date of the motion.	No change	No change

NYND LOCAL RULES - DAYS TO DAYS POTENTIAL CHANGES				
	NYND Local Rule	Language	Committee Recommendation	Potential Affect on Procedures
17	7.1(j)	If one of the parties seeks an adjournment of not more than THIRTY-ONE DAYS from the return date that the moving party selected, but the other parties will not agree to such an adjournment, the party seeking the adjournment must file a letter request with the Court and serve the same upon the other parties, stating the following: (1) that the parties cannot agree to an adjournment, (2) the reason that the party is seeking the adjournment, and (3) the suggested return date for the motion.	No change	No change
18	7.1(j)	If any party seeks an adjournment of the return date that is more than THIRTY-ONE DAYS from the return date that the moving party selected, that party must file a letter request with the Court stating the following: (1) why the party needs a longer adjournment and (2) a suggested return date for the motion.	No change	No change
19	9.2	In any action in which a party asserts a claim under the Racketeer Influenced and Corrupt Organizations Act ("RICO"), 18 U.S.C. § 1961 et seq., the party asserting such a claim shall file a RICO statement within thirty (30) days of the filing of the pleading containing such claim.	No change	No change
20	10.1C(2)	Attorneys shall also file a new registration statement within ten days of a change of address, firm name, telephone number, e-mail address and fax number. Attorneys may obtain registration forms at the Court's webpage at "www.nynd.uscourts.gov;" see also L.R. 41.2(b); L.R. 83.1(e).	Change to 14 days.	No substantive change because prior 10 day deadline was 10 business days. The new 14 day deadline is in calendar days.
21	16.1(a)	(a) Filing of Complaint/Service of Process. Upon the filing of a complaint, the Clerk shall issue to the plaintiff General Order 25, which requires, among other things, service of process upon all defendants within sixty (60) days of the filing of the complaint. This expedited service requirement is necessary to ensure adequate time for pretrial discovery and motion practice.	No Change	No Change
22	16.1C	(c) Initial Pretrial Conference. Except for cases excluded under section II of General Order 25, an initial pretrial conference pursuant to Fed. R. Civ. P. 16 shall be held within 120 days after the filing of the complaint.	No Change	No Change
23	16.1C	The parties shall file their jointly-proposed plan, or if they cannot reach consensus, each party shall file its own proposed plan with the Clerk at least ten (10) business days prior to the scheduled pretrial conference.	Change to 14 days.	No substantive change because prior 10 day deadline was 10 business days. The new 14 day deadline is in calendar days.
24	16.2	Parties shall file and serve motions to compel discovery no later than ten (10) days after the discovery cut-off. See L.R. 7.1(d)(8).	Change to 14 days.	Prior Rule stated 10 days, which could have been read to be 10 business days. However, in L.R. 7.1B(8) it specifically refers to 10 calendar days. Accordingly, this change would provide the bar with 4 additional days to file motions to compel after the discovery deadline.

NYND LOCAL RULES - DAYS TO DAYS POTENTIAL CHANGES				
	NYND Local Rule	Language	Committee Recommendation	Potential Affect on Procedures
25	40.2	Preferences shall be obtained only by order of the Court on two-days notice of the application.	Change to 7 days	Provides the up to 5 additional days to the party seeking preference.
26	41.2	Unless the assigned judge or magistrate judge otherwise orders, each party shall, not less than ten (10) days prior to the noticed hearing date, serve and file a certificate setting forth the status of the action or proceeding and whether good cause exists to dismiss it for failure to prosecute.	Change to 14 days.	No substantive change because prior 10 day deadline was 10 business days. The new 14 day deadline is in calendar days.
27	54.1	The party entitled to recover costs shall file, within thirty (30) days after entry of judgment, a verified bill of costs on the forms that the Clerk provides.	No change.	No Change
28	67.1 C	The Clerk shall take all reasonable steps to invest the funds within ten (10) days of the filing date of the order.	Change to 14 days.	No substantive change because prior 10 day deadline was 10 business days. The new 14 day deadline is in calendar days.
29	68.2(a)	The Court shall issue the order without prejudice to the parties' right to secure reinstatement of the case within thirty (30) days after the date of judgment by making a showing that the settlement was not, in fact, consummated.	No change.	No Change
30	68.2(b)	If the Court decides not to follow the procedures set forth in L.R. 68.2(a), the parties shall file within thirty (30) days of the notification to the Court, unless otherwise directed by written order, such pleadings as are necessary to terminate the action. If the required documents are not filed within the thirty (30) day period, the Clerk shall place the action on the dismissal calendar.	No change.	No Change
31	72.1(b)	Any party may file objections to a Magistrate Judge's determination of a non-dispositive matter by filing with the Clerk and serving upon all parties their objections. The party must file and serve its objections within ten (10) days after being served with the Magistrate Judge's order, must state a return date in accordance with L.R. 7.1(b)(2) and must specifically designate the order or part of the order from which the party seeks relief and the basis for the objection.	Change to 14 days.	No substantive change because prior 10 day deadline was 10 business days. The new 14 day deadline is in calendar days.
32	72.1(c)	Any party may object to a Magistrate Judge's proposed findings, recommendations, or report issued pursuant to 28 U.S.C. § 636(b)(1)(B) and (C) within ten (10) days after being served with a copy of the Magistrate Judge's recommendation.	Change to 14 days.	No substantive change because prior 10 day deadline was 10 business days. The new 14 day deadline is in calendar days.
33	72.1(c)	The opposing party may file and serve its response to the objections within ten (10) days after being served with a copy of the objections. The objecting party may not file a reply.	Change to 14 days.	No substantive change because prior 10 day deadline was 10 business days. The new 14 day deadline is in calendar days.
34	72.3(e)(5)	The parties shall file any written objections to the report-recommendation within twenty (20) days of the filing of same.	Change to 21 days	Provides the bar with 1 additional day to file written objections in Federal Debt Collection Act Cases.

NYND LOCAL RULES - DAYS TO DAYS POTENTIAL CHANGES				
	NYND Local Rule	Language	Committee Recommendation	Potential Affect on Procedures
35	72.3(e)(6)	If a party requests a hearing, the Clerk shall make a good faith effort to schedule the hearing within five (5) days of the receipt of the request or "as soon after that as possible" pursuant to 28 U.S.C. § 3101(d)(1).	Change to 7 days.	No substantive change because prior 5 day deadline was calculated in business days. New 7 day deadline is in calendar days.
36	72.5(h)2.	Where counsel in the state-court proceedings withdraws at the conclusion of the state-court proceedings or is otherwise not available or qualified to proceed, the Court may designate an attorney who will assist an indigent petitioner in filing pro se applications for appointment of counsel and for a temporary stay of execution. Upon the filing of this application, the Court shall issue a temporary stay of execution and appoint counsel. The temporary stay will remain in effect for forty-five (45) days unless the Court extends this time.	No Change	No Change
37	72.5(h)3	The temporary stay will remain in effect for one hundred twenty (120) days to allow newly appointed counsel to prepare and file the petition. The Court may extend the temporary stay upon a subsequent showing of good cause.	No Change	No Change
38	72.5(i)1	Respondent shall, as soon as practicable, but in any event on or before twenty (20) days from the date of service of the petition, file with the Court the following:	Change to 21 days	Provides the Respondent in a Death Penalty Habeas petition with 1 additional day to file papers with the Court.
39	72.5(i)3	Respondent shall file an answer to the petition with accompanying points and authorities within thirty (30) days from the date of service of the petition. Respondent shall attach to the answer any other relevant documents that the parties have not already filed	No Change	No Change
40	72.5(i)4	Within thirty (30) days after respondent has filed the answer, petitioner may file a traverse.	No Change	No Change
41	72.5(i)6	Either party shall make any request for an evidentiary hearing within fifteen (15) days from the filing of the traverse or within fifteen (15) days from the expiration of the time for filing the traverse. The request shall include a specification of which factual issues require a hearing and a summary of what evidence petitioner proposes to offer. Any opposition to the request for an evidentiary hearing shall be made within fifteen (15) days from the filing of the request. The Court will then give due consideration to whether it will hold an evidentiary hearing.	No Change	No Change - the Committee felt it was inappropriate to shorten any deadline within the Death Penalty Habeas section.
42	77.2(b)	When the parties are unable to agree as to the form of the proposed order, the prevailing party shall, on three (3) days notice to all other parties, submit a proposed order and a written explanation for the form of that order.	Change to 7 days	Requires the bar to give up to 3 additional days of notice to opposing side prior to submitting a proposed order.

NYND LOCAL RULES - DAYS TO DAYS POTENTIAL CHANGES				
	NYND Local Rule	Language	Committee Recommendation	Potential Affect on Procedures
43	79.1(d)	The party responsible for filing the exhibits and transcripts with the Clerk shall be responsible for removing them (1) if no appeal is taken, within ninety (90) days after a final decision is rendered or (2), if an appeal has been taken, within thirty (30) days after the mandate of the final reviewing court is filed. The Clerk shall notify the parties that fail to comply with this Rule to remove their exhibits. Upon their failure to do so within thirty (30) days , the Clerk shall dispose of these exhibits and transcripts as the Clerk sees fit.	No Change	No Change
44	83.1(a)	Each applicant for permanent admission must file, at least ten (10) days prior to the scheduled hearing (unless, for good cause shown, the Court shortens the time), documentation for admission as set forth below.	Change to 14 days	No substantive change because prior 10 day deadline was 10 business days. The new 14 day deadline is in calendar days.
45	83.1(a)	Registration Form Changes. Every attorney must file a supplemental statement setting forth any change in the information on the Registration Form within ten (10) days of the change.	Change to 14 days	No substantive change because prior 10 day deadline was 10 business days. The new 14 day deadline is in calendar days.
46	83.4(d)	On the filing of a certified or exemplified copy of an order imposing discipline, this Court shall, by order, discipline the attorney to the same extent. It is provided, however, that within thirty (30) days of service on the attorney of the Court's order of discipline, either the attorney or a bar association that the Chief Judge designated in the order imposing discipline shall apply to the Chief Judge for an order to show cause why the discipline imposed in this District should not be modified on the basis of one or more of the grounds set forth in this Rule.	No Change	No Change
47	83.4(e)	Upon the filing of a certified or exemplified copy of a judgment of conviction, the Chief Judge may designate a bar association to prosecute a proceeding against the attorney. The bar association shall obtain an order requiring the attorney to show cause within thirty (30) days after service, personally or by mail, why the attorney should not be disciplined.	No Change	No Change

NYND LOCAL RULES - DAYS TO DAYS POTENTIAL CHANGES				
	NYND Local Rule	Language	Committee Recommendation	Potential Affect on Procedures
48	83.4(g)5	If the panel attorney determines after investigation that the evidence establishes probable cause to believe that one or more violations of the Code of Professional Responsibilities has occurred, the panel attorney shall prepare a statement of charges alleging the grounds for discipline. The Clerk shall cause the Statement of Charges to be served upon the attorney concerned ("responding attorney") by certified mail, return receipt requested, directed to the address of the attorney as shown on the rolls of this Court and, if different, to the last known address of the attorney as shown in any other source together with a direction from the Clerk that the responding attorney shall show cause in writing within thirty days why discipline should not be imposed.	No Change	No Change
49	83.4(g)6	The Magistrate Judge shall report his or her findings and recommendations in writing to the Chief Judge and shall serve them upon the responding attorney and the panel attorney. The responding attorney and the panel attorney may file objections to the Magistrate Judge's report and recommendations within twenty days of the date thereof.	Change to 21 days	Provides the bar with 1 additional day to file written objections.
50	83.6	In a case ordered transferred from this District, the Clerk, unless otherwise ordered, shall, upon the expiration of ten (10) days , mail to the court to which the case is transferred	Change to 14 days.	No substantive change because prior 10 day deadline was 10 business days. The new 14 day deadline is in calendar days.
51	83.7-2	The Clerk shall notify the parties in all civil cases, except as the Rules otherwise direct, that they may consent to non-binding arbitration under this Rule. The notice shall be furnished to the parties at pretrial/scheduling conferences or shall be included with pretrial conference notices and instructions. Consent to arbitration under this Rule shall be discussed at the pretrial/scheduling conference. No party or attorney shall be prejudiced for refusing to participate in arbitration. The Court shall allow the referral of any civil action pending before it to the arbitration process if the parties consent. The plaintiff shall be responsible for securing the execution of a consent form by the parties and for filing the form with the Clerk within ten (10) days after the parties receive the form. The parties shall freely and knowingly enter into the consent.	Change to 14 days.	No substantive change because prior 10 day deadline was 10 business days. The new 14 day deadline is in calendar days.

NYND LOCAL RULES - DAYS TO DAYS POTENTIAL CHANGES				
	NYND Local Rule	Language	Committee Recommendation	Potential Affect on Procedures
52	83.7-3(a)	The Clerk shall refer every action subject to this Rule to arbitration in accordance with the procedures under this Rule twenty (20) days after the filing of the last responsive pleading or within twenty (20) days of the filing of a stipulated consent order referring the action to arbitration, whichever event occurs last, except as otherwise provided. If any party notices a motion to dismiss under the provisions of Fed. R. Civ. P. 12(a) and/or (b), or a motion to join necessary parties pursuant to the Federal Rules of Civil Procedure prior to the expiration of the twenty (20) day period, the assigned judge shall hear the motion and further proceedings under this Rule shall be deferred pending decision on the motion. If the Court does not dismiss the action on the motion, the Court shall refer the action to arbitration twenty (20) days after the filing of the decision.	Change to 21 days	Provides the Clerk 1 additional day to refer the action to arbitration.
53	83.7-3(a)	Motions for summary judgment pursuant to Fed. R. Civ. P. 56 shall be filed and served within twenty (20) days following the close of discovery. The filing of a Rule 56 motion shall defer further proceedings under this Rule pending decision on the motion.	Change to 21 days	Provides the bar 1 additional day after the close of discovery to file a motion for summary judgment.
54	83.7-3(c)	Any party shall request relief from the operation of this Rule by filing with the Court a motion for the relief within twenty (20) days after entry of the initial stipulated consent order which refers the case for arbitration.	Change to 21 days	Provides the bar with one additional day to request relief from arbitration referral.
55	83.7-4(b)(1)	Each side shall be entitled to strike two names from the list. All parties shall sign the list and return it to the Clerk within ten (10) days of receipt. Failure of the parties to timely notify the Clerk of strikes shall result in the Clerk's selection of the panel.	Change to 14 days.	No substantive change because prior 10 day deadline was 10 business days. The new 14 day deadline is in calendar days.

NYND LOCAL RULES - DAYS TO DAYS POTENTIAL CHANGES				
	NYND Local Rule	Language	Committee Recommendation	Potential Affect on Procedures
56	83.7-5 (a)	The date of the arbitration hearing set forth in the notice shall be approximately five (5) months, but in no event later than 180 days , from the date the answer was filed, except that the arbitration proceeding shall not, in the absence of the parties' consent, commence until thirty (30) days after the Court's disposition of any motion to dismiss the complaint, motion for judgment on the pleadings, or motion to join necessary parties if such a motion was filed and served within twenty (20) days after the filing of the last responsive pleading. Motions for summary judgment pursuant to Fed. R. Civ. P. 56 shall be filed in accordance with L.R. 83.7-3(a). The Court may modify the 180-day and twenty (20) day periods specified in L.R. 83.7 for good cause shown. The notice shall also advise the attorneys that they may agree to an earlier date for the arbitration hearing provided the arbitration clerk is notified within thirty (30) days of the date of the notice.	Change 20 to 21, leave the other days the same.	Potentially extends the arbitration completion deadline by 1 additional day.
57	83.7-5 (a)	The notice shall also advise the attorneys that they have 120 days to complete discovery unless the Court orders a shorter or longer period for discovery. If a third party has been brought into the action, this notice shall not be sent until the third party has filed an answer.	No change	No change
58	83.7-5 (b)	Thereafter, and at least ten (10) days prior to the arbitration hearing, each attorney shall deliver to the arbitrator(s) and to the adverse attorney pre-marked copies of all exhibits, including expert reports and all portions of depositions and interrogatories to which reference shall be made at the hearing (but not including documents intended solely for impeachment).	No Change	By not changing this deadline to 14 days, the deadline effectively changes from 10 business days to 10 calendar days. This provides the bar up to 4 additional days to submit their arbitration papers. Conversely, the arbitrator has 4 fewer days to review these papers.
59	83.7-5 (d)	A party desiring to offer a document, otherwise subject to hearsay objections, at the hearing shall serve a copy on the adverse party not less than ten (10) days in advance of the hearing, indicating intent to offer it as an exhibit.	No Change	By not changing this deadline to 14 days, the deadline effectively changes from 10 business days to 10 calendar days. This provides the bar up to 4 additional days to submit their arbitration papers. Conversely, the arbitrator has 4 fewer days to review these papers.
60	83.7-6(a)	The arbitrator(s) shall file the award with the Clerk promptly following the close of the hearing and in any event not more than ten (10) days following the close of the hearing. As soon as the arbitrator(s) files the award, the Clerk shall serve copies on the parties.	Change to 14 days.	No substantive change because prior 10 day deadline was 10 business days. The new 14 day deadline is in calendar days.

NYND LOCAL RULES - DAYS TO DAYS POTENTIAL CHANGES				
	NYND Local Rule	Language	Committee Recommendation	Potential Affect on Procedures
61	83.7-6(c)	Unless a party has filed a demand for a trial de novo (or a notice of appeal which shall be treated as a demand for trial de novo) within thirty (30) days of the filing of the arbitration award, the Clerk shall enter judgment on the arbitration award in accordance with Fed. R. Civ. P. 58.	No change	No change
62	83.7-7	If either party files and serves a written demand for a trial de novo within thirty (30) days of entry of judgment on the award, the Clerk shall immediately vacate the judgment and the action shall proceed in the normal manner before the assigned judge.	No change	No change
63	83.11-3	The parties may withdraw from mediation any civil action or claim that the Court refers to mediation pursuant to this Rule by application to the assigned judge at least ten (10) days prior to the scheduled mediation session.	No change	By not changing this deadline to 14 days, the deadline effectively changes from 10 business days to 10 calendar days. This provides the bar up to 4 additional days to file an application to withdraw from mediation. Conversely, the Court has 4 fewer days to review these applications.
64	83.11-4 ©	Within ten (10) days of the order of reference, parties are to select a mediator of their choice from a list of mediators available from the Court and submit the selection to the ADR clerk in the Clerk's office.	Change to 14 days.	No substantive change because prior 10 day deadline was 10 business days. The new 14 day deadline is in calendar days.
65	83.11-5(a)	At least two days prior to the mediation session, each party shall provide to the mediator and all other such parties a "memorandum for mediation."	No change	No change.
66	83.11-5	Unless the Court authorizes otherwise, mediation sessions shall be concluded at least ten (10) days prior to any final pretrial conference that the Court has scheduled.	Change to 14 days.	No substantive change because prior 10 day deadline was 10 business days. The new 14 day deadline is in calendar days.
67	83.11-6©	If the parties reach a partial agreement to narrow, withdraw or settle some but not all claims, they shall file a stipulation concisely setting forth the resolved claims with the ADR clerk within five (5) days of the mediation. The stipulation shall bind the parties.	No change	By not changing to seven days, the bar has potentially 2 additional days to file the partial agreement.
68	83.12-1	After the parties exchange essential information and position statements early in the pretrial period (usually within 150 to 200 days after a complaint has been filed), the evaluator convenes an ENE session that typically lasts about two hours.	No change	No change
69	83.12-3	The parties may withdraw any civil action or claim that the Court has referred to the ENE Process pursuant to this Rule by application to the assigned judge at least ten (10) days before the scheduled evaluation session.	No change	By not changing this deadline to 14 days, the deadline effectively changes from 10 business days to 10 calendar days. This provides the bar up to 4 additional days to file an application to withdraw from ENE. Conversely, the Court has 4 fewer days to review these applications.

NYND LOCAL RULES - DAYS TO DAYS POTENTIAL CHANGES				
	NYND Local Rule	Language	Committee Recommendation	Potential Affect on Procedures
70	83.12-4(a)	In most cases, the Court will issue the ENE order early enough in the pretrial period to allow the ENE session to be held within 150 to 200 days from the filing of the complaint.	No change	No change
71	83.12-4(c)	The evaluator will contact all attorneys and set the date and place of the evaluation session. Whenever possible, the evaluator shall hold the ENE session within 150 to 200 days of the filing of the complaint and within forty-five days of the date that the ADR clerk notifies counsel of the identity of the evaluator.	No change	No change
72	83.12-5	No later than ten (10) calendar days prior to the ENE session, each party shall submit directly to the evaluator, and shall serve on all other parties, a written evaluation statement not to exceed ten (10) pages excluding exhibits and attachments.	Take out word "calendar"	No change because all deadlines are now in calendar days.
73	83.12-6(f)	A party or attorney may be excused from attending an ENE session only after petitioning the referring judge in writing no fewer than ten (10) calendar days before the scheduled ENE session. Such a petition must show that attendance at the ENE session would impose an extraordinary or unjustifiable hardship.	Take out word "calendar"	No change because all deadlines are now in calendar days.
74	83.12-10©	If the parties reach a partial agreement to narrow, withdraw, or settle some but not all claims, they shall file a stipulation concisely setting forth the resolved claims with the ADR clerk within five (5) days of the evaluation session. The stipulation shall bind the parties.	Change to 7 days.	No substantive change because prior 5 day deadline was calculated in business days. New 7 day deadline is in calendar days.
75	83.13	Pleadings and other papers filed under seal in civil actions shall remain under seal for sixty (60) days following final disposition of the action, i.e., final disposition of the action includes any time allowed by the federal rules to file an appeal in a civil matter, and, if an appeal is filed, sixty (60) days from the date of the filing of the mandate if the action was not remanded for further proceedings.	No change	No change
76	83.14(d)	The request for testimony or production of records shall be provided to the federal judicial personnel from whom testimony or production of records is sought at least fifteen (15) working days in advance of the date on which the testimony or production of records is required.	Change to 21 days	No substantive change because prior deadline of 15 working days approximates 21 calendar days.

NYND LOCAL RULES - DAYS TO DAYS POTENTIAL CHANGES				
	NYND Local Rule	Language	Committee Recommendation	Potential Affect on Procedures
77	12.1 Crim P	(a) The moving party must file all motion papers with the Court and serve them upon the other parties no less than THIRTY-ONE CALENDAR DAYS prior to the return date of the motion. The Notice of Motion should state the return date that the moving party selected. The moving party must specifically articulate the relief requested and must set forth a factual basis which, if proven true, would entitle the moving party to the requested relief. The opposing party must file opposing papers with the Court and serve them upon the other parties not less than SEVENTEEN CALENDAR DAYS prior to the return date of the motion. The moving party may file reply papers only with leave of the Court, upon a showing of necessity. If the Court grants leave, the moving party must file reply papers with the Court and serve them upon the other parties not less than ELEVEN CALENDAR DAYS prior to the return date of the motion.	Keep consistent with Civil.	No change.
78	14.1(b)Crim P	(b) Fourteen (14) days after arraignment, or on a date that the Court otherwise sets for good cause shown, the government shall make available for inspection and copying to the defendant the following:	No change	No change
79	14.1© Crim P.	Unless a defendant, in writing, affirmatively refuses discoverable materials under Fed. R. Crim. P. 16(a)(1)(C), (D), or (E), the defendant shall make available to the government all discoverable information within the scope of Fed. R. Crim. P. 16(b) within twenty-one (21) days of arraignment.	No Change	No Change
80	14.1(d) Crim P.	No less than fourteen (14) days prior to the start of jury selection, or on a date the Court sets otherwise for good cause shown, the government shall tender to the defendant the following:	No change	No change
81	32.1(b) Crim P.	On request, the defendant's counsel is entitled to notice and a reasonable opportunity to attend any interview that a probation officer conducts of the defendant in the course of a presentence investigation. It shall be incumbent upon the defendant's counsel to advise the Probation Office within two (2) business days of the date that the presentence report is ordered that counsel wishes to be present at any interview with the defendant.	Remove the term "business" but keep the 2 day deadline.	No substantive change.
82	32.1(d) Crim P.	Within three (3) business days after sentencing, the Clerk shall serve a copy of the judgment upon the parties and the United States Marshal.	Remove the term "business" but keep the 3 day deadline.	No substantive change.
83	58.1 (a)(3) Crim P.	Upon the filing of any such motion, the opposing party shall file its papers in opposition to said motion within ten (10) days of the filing date of said motion.	Change to 14 days.	No substantive change because prior 10 day deadline was 10 business days. The new 14 day deadline is in calendar days.

NYND LOCAL RULES - DAYS TO DAYS POTENTIAL CHANGES				
	NYND Local Rule	Language	Committee Recommendation	Potential Affect on Procedures
84	58.1C(3)(A)Crim P.	The appellant's brief shall be filed within ten (10) days following the filing of the notice of appeal;	Change to 14 days.	No substantive change because prior 10 day deadline was 10 business days. The new 14 day deadline is in calendar days.
85	58.1C(3)(B)Crim P.	The appellee's brief shall be filed within ten (10) days following submission of the appellant's brief;	Change to 14 days.	No substantive change because prior 10 day deadline was 10 business days. The new 14 day deadline is in calendar days.
86	Rule C1 Admiralty	The summons to show cause why property should not be deposited in the Court issued pursuant to Supplemental Rule C(3) shall direct the person having control of intangible property to show cause no later than ten (10) calendar days after service why the intangible property should not be delivered to the Court to abide the judgment.	Change to 14 days.	Provides the person in control of the property 4 additional days to file an order to show cause.
87	C2(e) Admiralty	A statement that a person asserting any ownership interest in the property or a right of possession pursuant to Supplemental Rule C(6) must file a statement of such interest with the Clerk and serve it on the plaintiff's attorney within ten (10) calendar days after publication;	Change to 14 days.	Provides the person asserting ownership of the property 4 additional days to file a statement of interest.
88	C2(f) Admiralty	A statement that an answer to the complaint must be filed and served within thirty (30) calendar days after publication and that, otherwise, default may be entered and condemnation ordered;	No change	No change
89	Rule D Admiralty	In a possessory action under Supplemental Rule D, a judge may order that the statement of interest and answer be filed on a date earlier than twenty (20) calendar days after arrest. The order may also set a date for expedited hearing of the action.	Change to 21 days	Provides 1 additional day to file an answer after arrest.
90	Rule E-7 Admiralty	In an action under the Supplemental Rules, a party may move upon notice to all parties for an order to compel an adverse party to post security for costs with the Clerk pursuant to Supplemental Rule E(2) (b). Unless otherwise ordered, the amount of security shall be \$500.00. The party so ordered shall post the security within five (5) days after the order is entered. A party who fails to post security when due may not participate further in the proceedings, except by order of the Court. A party may move for an order increasing the amount of security for costs.	Change to 7 days.	No substantive change because prior 5 days deadline was approximately 7 calendar days.
91	Rule E-8 Admiralty	The Court shall conduct the adversary hearing following arrest or attachment or garnishment provided for in Supplemental Rule E(4)(f) within three business days , unless otherwise ordered. The person(s) requesting the hearing shall notify all persons known to have an interest in the property of the time and place of the hearing.	Change to 7 days	Provides the Court with up to 3 additional days to conduct an adversary hearing.

NYND LOCAL RULES - DAYS TO DAYS POTENTIAL CHANGES				
	NYND Local Rule	Language	Committee Recommendation	Potential Affect on Procedures
92	Rule E-10 Admiralty	Any party who fails to advance such additional costs that the Marshal requires may not participate further in the proceedings, except by order of the Court. The Marshal may, upon notice to all parties, petition the Court for an order to be issued forthwith releasing the vessel if additional sums are not advanced within three business days of the initial request for additional sums.	Change to 7 days	Provides the party with up to 3 additional days to advance additional funds to the U.S. Marshals.
93	Rule E-13(a) Admiralty	Unless otherwise ordered upon good cause shown or as provided by law, notice of sale of property in an action in rem shall be published as provided in LAR (g)(2) at least three (3) times during the period of time consisting of thirty (30) days prior to the day of the sale.	No change.	No change.
94	Rule E-13(b) Admiralty	These provisions apply unless otherwise ordered in the order of sale; the person whose bid is accepted shall immediately pay the Marshal the full purchase price if the bid is \$1,000 or less. If the bid exceeds \$1,000, the bidder shall immediately pay a deposit of at least \$1,000 or 10% of the bid, whichever is greater, and shall pay the balance within three business days after the day on which the bid was accepted. If an objection to the sale or any upset bid permitted by the order of sale is filed within that period, the bidder is excused from paying the balance of the purchase price until three business days after the sale is approved. Payment shall be made in cash, by certified check, or by cashier's check drawn on banks insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.	Change to 7 days	Provides the successful bidder up to 3 additional days to pay the balance of the successful bid.
95	Rule E-13(f) Admiralty	An interested person may object to the sale by filing a written objection with the Clerk within three (3) business days following the sale, serving the objection on all parties of record, the successful bidder, and the Marshal, and depositing a sum with the Marshal that is sufficient to pay the expense of keeping the property for at least seven calendar days .	Change to 7 days	Provides interested parties with up to 3 additional days to serve objections to sale.
96	Rule E-13(g) Admiralty	Unless an objection to the sale is filed, or any upset bid permitted by and conforming to the terms provided in the order of sale is filed, within three (3) business days of the sale, the sale shall be deemed confirmed without further order of the Court. The Clerk shall prepare and deliver to the Marshal a certificate of confirmation, and the Marshal shall transfer title to the confirmed purchaser only upon further order of the Court.	Change to 7 days	Provides interested parties with up to 3 additional days to serve objections to sale.