

## **Judge Ludwig's General Procedures**

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## I. Communications with Chambers

- *Ex parte* communication with Judge Ludwig is prohibited. Parties and counsel should communicate with chambers in writing.
  - ***Chambers staff cannot provide legal advice.***
- In limited circumstances, a party or its counsel may contact chambers concerning non-substantive, procedural, or scheduling matters, including:
  1. Obtaining, rescheduling, or canceling a hearing;
  2. Confirming the Court's receipt of a proposed order; or
  3. Alerting the Court to a filing that: (a) is an emergency filing, (b) affects a hearing that is in the near future, or (c) was required by the Court to be made by a certain time to permit a timely ruling.
- **Rescheduling of hearings.** Should any party have a conflict with the scheduled date and time for a hearing, that party should contact chambers by telephone, ***with the other interested parties on the line***, to reschedule the hearing to a mutually agreeable date and time. If a party is unable to join all interested parties on the line, that party should file a motion on the docket, requesting the rescheduling of the hearing.
- When a party otherwise wishes to draw the Court's attention to something or obtain further clarity on a matter, the party should file a motion on the docket.
- Chambers telephone line
  - **414-297-3071**
- Conference call-in line for telephonic hearings
  - 866-434-5269  
Access Code: 1737450##
- Email address for proposed orders
  - [LudwigPO@wied.uscourts.gov](mailto:LudwigPO@wied.uscourts.gov)
  - Include the case name and number in the subject line

## II. Hearing Protocols

- The Court expects counsel, parties, and witnesses to act professionally at all times in the courtroom.
  - Counsel and witnesses should exercise civility, dress appropriately, and otherwise conduct themselves in a manner consistent with the dignity of the Court and its proceedings.
  - Counsel should address clients, witnesses and all other parties by their surnames.
  - Only one attorney should speak for a client as to any issue under consideration, unless the Court grants permission otherwise.
  - Counsel should address their arguments to the Court, not to one another.
  - Cell phones and similar devices should be silenced while in the courtroom.
- Court hearings are digitally recorded. Court staff will post audio recordings for most hearings on the case docket promptly after the hearing. Requests for hearing transcripts should be directed to the clerk's office (414-297-3372). If a party believes a hearing requires an in-person court reporter, counsel should make the request by motion in advance of the hearing.
- The Court has presentation equipment that it can make available for use by counsel. If a party wishes to use other or additional equipment, counsel should coordinate with chambers staff (414-297-3071) to allow for courtroom access and scheduling setup.
- The Court conducts hearings in-person, by telephone, and by videoconference. The notice of hearing will indicate how the hearing will be conducted. If a party wishes to appear, and the hearing notice does not specifically permit remote appearances, the party should file a motion under Civil L. R. 7(h) in advance of the hearing explaining the need for the remote appearance. The Court will memorialize its ruling with an order or a docket notation.
- Telephonic hearings are conducted via a group telephone line. To appear by telephone, parties must call the court conference line at 1-866-434-5269, and enter access code 1737450## at least five minutes before the scheduled hearing time. Generally, telephonic hearings are not used for matters requiring the Court to receive evidence.

### III. Motion Practice and Stipulations

- Requests for relief should be made by written motion consistent with the Local Rules. Requests made through letters or informal correspondence are disfavored and may be denied out of hand.
- Proposed orders should be submitted in two ways and two formats. First, consistent with the District's ECF procedures, proposed orders should be e-filed in PDF format as an attachment to the motion or stipulation seeking relief. Second, parties should email proposed orders in Word (not PDF) format to the Court's proposed order email address. LudwigPO@wied.uscourts.gov
- The Court does not require parties to file proposed orders for motions on which the Court will likely issue a written decision. Proposed orders are generally not required for motions to dismiss or for summary judgment.
- Parties seeking immediate or urgent relief should not contact the Court to schedule an emergency hearing unless and until they have filed a motion requesting such relief. Once the motion is filed, counsel may contact chambers to schedule an emergency hearing, consistent with the prohibition on *ex parte* communications discussed in Section I above.
- Non-dispositive matters that require expedited, but not emergency relief, should be addressed using the procedure outlined in Civil L. R. 7(h).
- The Court will rule on most motions without a hearing. If a party believes that oral argument would be helpful, it should request a hearing in its written motion papers. The Court will set a hearing on a motion if a hearing is deemed necessary.
- Requests for changes to deadlines and scheduling orders should be made by motion and describe with specificity efforts made to obtain opposing parties' consent, including whether such consent has been obtained. Informal agreements among counsel to change court deadlines do not bind the Court.
- The Court does **not** require courtesy copies of briefs.

## **IV. General Procedures for Civil Matters**

### **A. Scheduling Conferences and Orders**

- The Court will set a scheduling conference once all parties have been served or appeared in a civil case. *See* Fed. R. Civ. P. 16(b). The hearing notice will state whether counsel are expected to appear in person or by telephone/videoconference. Scheduling conferences are generally held telephonically.
- Consistent with Fed. R. Civ. P. 26(f), the parties are responsible for arranging a conference to discuss a discovery plan and related matters at least 21 days before the scheduling conference. A report outlining the parties' discovery plan must be filed no later than 7 days before the scheduling conference. *See* Fed. R. Civ. P. 26(f)(2).
- The Court will enter a scheduling order after the scheduling conference. Most cases should be ready for resolution within one year of the filing date. Parties should negotiate a discovery plan consistent with this general expectation or be prepared to explain why a particular case requires a different schedule.
- Requests for changes to any deadlines set in a scheduling order should be made by motion. In addition to the grounds for relief, the motion should describe with specificity efforts made to obtain opposing parties' consent, including whether such consent has been obtained. Informal agreements among counsel to change court deadlines do not bind the Court.

### **B. Final Pretrial Conferences**

- Depending on the case, the Court will either set a trial date at the scheduling conference or wait and set a trial date at the final pretrial conference. If trial is set at the final pretrial conference, the Court will attempt to schedule the case for trial within 60-90 days of the final pretrial conference.
- The primary purpose of the final pretrial conference is to determine the issues that need to be tried. Motions in limine in civil cases are generally due 14 days before the final pretrial conference. Motion in limine response briefs are due 7 days before the final pretrial conference.

### **C. Discovery Disputes**

- The Court expects counsel to resolve most discovery issues consensually and without court involvement. If counsel cannot agree, they may utilize the Court's Expedited Non-Dispositive Motion protocols to bring discovery issues before the Court. *See* Civil L. R. 7(h).
- The Court will not enter a protective order unless supported by specific facts establishing good cause. Mere stipulations among the parties that do not provide a factual basis for the protective order are not sufficient. *See* Civil L. R. 26(e).