

SECTION 8.0 MOTIONS AND RELATED FILINGS

8.1 Motions Overview

As with other documents, select an event, the case number, attorney, party filer and link party attorney. Then upload the PDF file. Click on [Motions](#) under Motions and Related Filings to bring up a list of motion types. (See [Appendix A](#) for a complete list.) Multiple motions types may be selected simultaneously. (See [Section 3.3\(c\)](#)).

(a) **Motion to Vacate and/or Correct Sentence §2255**

A Motion to Vacate and/or Correct Sentence pursuant to 28 U.S.C. §2255, although titled a “motion,” is not treated as a motion in the civil case environment.

(b) **Motions for Extension of Time**

There are four separate events which address variations of motions for extension of time. These are necessary because each motion type creates and satisfies different deadlines when granted by the court.

(c) **Cost Bills**

Cost Bills behave like a motion in CM/ECF, consequently, the Bill of Costs event is found under the Motions menu. The user will be prompted to select deadlines for filing objections to the proposed cost bill (14 days pursuant to [LR 54.1](#)) and for the taxation of costs. A cost bill may be submitted either on the standard form supplied by the Administrative Office or in pleading form.

(d) **Objections to Magistrate Orders**

Objections will behave like a motion in CM/ECF. The event, however, is located on the Other Answer menu.

(e) **Scheduling**

1. Response & Reply Deadlines

CM/ECF will automatically calculate the response due date for motions 14 days from the date of filing (11 days pursuant to [Fed.R.Civ.P. 6\(a\)](#) and 3 days for mailing pursuant to [Fed.R.Civ.P 6\(e\)](#).) Although the due date for the response or reply will appear during the docket transaction, it is not editable by a non-court user and it will not display in the docket text. The response or reply date will still be set in the background for calendars and reports. Subsequent or extended response and reply dates set by the court will continue to display in the docket text.

SECTION 8.0 MOTIONS AND RELATED FILINGS

2. Dispositive Motion Response & Reply Deadlines

Court case managers should be aware that dispositive motion response or reply due dates may continue to be different from the actual response or reply dates generated when the dispositive motion is actually filed. The case manager should check the docket for an overriding case deadline for these submissions which supersede the system generated deadlines.

8.2 Responses and Replies

Events in this category are to be used in connection with all motion category events. The user should select the most appropriate event and then further describe the pleading in the docket text box. Refer to [Appendix A](#) for a complete list of responses and replies to motions.

Following are some Response and Reply events of special note:

(a) Objections and Responses to Bill of Costs

The cost bills are treated as motions in CM/ECF and so these events are located under Responses and Replies.

(b) Objections to Findings & Recommendations

Findings and Recommendations are treated as motions at the time they are issued, hence any objections and response events are located on this menu.

(c) Responses to Discovery Motions

These events do not set a reply date. (See [LR 26.5\(c\)](#).)

(d) Linking

When posting a response or reply to a motion the user is always prompted to select the subject motion and create the link automatically. The response is always linked to the motion and the reply is always linked to the subject motion. Where appropriate, the system will also schedule the reply due date upon the filing of the response.

8.3 Other Supporting Documents

Other supporting documents include documents signed by a third party. As with other menus, the user is prompted to select the event, the case number, attorney, and filer.

(a) Concise Statement of Material Fact

SECTION 8.0 MOTIONS AND RELATED FILINGS

Although this is a required filing for Motions for Summary Judgment and would logically be on the "Responses and Replies" menu, it is located on the Other Supporting Documents menu as there are often amended or additional and is not always associated with a motion.

(b) Reference to Previously Filed Documents

This menu contains events which may be linked to previously filed documents. When prompted, the user may select an appropriate category of events to complete the link. See also [Section 6.3\(c\)-\(e\)](#).