

FILED IN CHAMBERS U.S.D.C. ROME
Date: Oct 26 2020
JAMES N. HATTEN, Clerk
By: s/Kari Butler
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

GERALD LYNN BOSTOCK,

Plaintiff,

v.

CLAYTON COUNTY,

Defendant.

CIVIL ACTION FILE

NO. 1:16-CV-1460-ELR-WEJ

**ORDER RE: SUMMARY JUDGMENT MOTIONS**

The Court has entered a Scheduling Order in this case. In anticipation of the filing of summary judgment motion(s), the Court issues the following guidelines:

1. Pursuant to Local Rule 56.1B., a party moving for summary judgment must include with the motion a statement of material facts as to which the movant contends there is no genuine issue to be tried. Each fact must be numbered, and **there must be only one sentence per number**. A citation to the record must follow each numbered fact. No more than **fifty (50) numbered facts** will be considered except by leave of Court. Also, statements in the form of issues, questions, or legal conclusions (rather than material facts) will not be considered.

2. Pursuant to Local Rule 56.1B., the respondent to a summary judgment motion must include with the response brief a separate response to the movant's statement of material facts. The respondent must admit or deny each of the movant's numbered facts. If the respondent denies a numbered fact, **a concise factual explanation, limited to a brief paragraph, supported by a citation to the record must be offered.** Responses in the form of issues, questions, or legal conclusions (rather than facts) will not be considered.

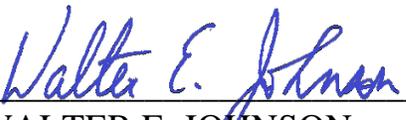
3. Local Rule 56.1B. also provides that a respondent may include, if applicable, a statement of additional material facts which is contended to be material and disputed. **This statement of additional material facts must conform to the requirements set forth in paragraph 1 supra.** If such a statement of facts is included by respondent, Local Rule 56.1B. requires the movant to file a response to each of respondent's facts. **This response must conform to the requirements set forth in paragraph 2 supra.**

4. Because "[i]t should be a party's responsibility to direct the Court's attention separately to each portion of the record which supports each of the party's distinct arguments," every factual statement made in the parties' briefs should be followed by a citation to their statement of material facts or a citation to

the record as applicable. Dickson v. Amoco Performance Prods., Inc., 845 F. Supp. 1565, 1570 (N.D. Ga. 1994).

5. Under Local Rule 7.1.E., motions are decided without a hearing. However, if the parties believe that oral argument would be of assistance, then a Joint Motion requesting oral argument should be filed by the time that briefing has been completed. Because it is difficult for relatively new members of the bar to gain experience in federal cases, the Court will be more inclined to schedule a hearing **if** an attorney who has practiced law for less than seven (7) years will argue for each side. Therefore, the Joint Motion should designate the attorneys who will argue the motion and their years of experience.

**SO ORDERED**, this the 26th day of October, 2020.

  
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WALTER E. JOHNSON  
UNITED STATES MAGISTRATE JUDGE