REVISED: JANUARY 8, 2026

INDIVIDUAL RULES AND PRACTICES IN CIVIL CASES

Dale E. Ho, United States District Judge

Chambers
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007
HoNYSDChambers@nysd.uscourts.gov

Courtroom
Thurgood Marshall Courthouse
40 Foley Square, Courtroom 905

Courtroom Deputy
Nicole Morales

Unless otherwise ordered by the Court, these Individual Rules apply to all civil matters before Judge Ho except for civil pro se cases. The Individual Rules applicable to civil pro se cases are available at https://nysd.uscourts.gov/hon-dale-e-ho.

1. Guidelines for All Submissions

a. Electronic Case Filing ("ECF"). In accordance with the S.D.N.Y. Electronic Case Filing Rules and Instructions, except as otherwise expressly provided, all documents filed with the Court must be filed electronically.

b. Text-Searchable Submissions. All written submissions and supporting materials must be text-searchable to the extent practicable.

c. Submission of Large Electronic Files. The Court has a file transfer protocol for the safe electronic transmission of large files. If a party needs to submit large files by email (as opposed to ECF), the party should email the Court (at HoNYSDChambers@nysd.uscourts.gov) requesting a link to be used for such transfer. The email should include the name and docket number of the case as well as the nature and size of the materials to be submitted electronically. The Government may use USAfx.

d. No Courtesy Copies. Unless the Court orders otherwise, parties should not submit courtesy copies of any submissions.

e. Amended or Corrected Filings. Any amended or corrected filing shall be filed with a redline showing all differences between the original and revised filing.

f. Use of Generative Artificial Intelligence. Any party who uses generative artificial intelligence (such as ChatGPT, Harvey, CoCounsel, or Google Bard) to generate any portion of a motion, brief, pleading, or other filing must attach to the filing a separate declaration disclosing the use of artificial intelligence and certifying that the filer has

reviewed the source material and verified that the artificially generated content is accurate and complies with the filer's Rule 11 obligations.

2. Communications with Chambers

a. Letters and Letter-Motions.

i. Unless otherwise provided below, communications with Chambers shall be by letter filed on ECF. Letters seeking relief (consistent with S.D.N.Y. Local Rules and the S.D.N.Y. Electronic Case Filing Rules and Instructions) should be filed as letter-motions on ECF, not ordinary letters.

ii. Letters may not exceed three pages in length (exclusive of exhibits or attachments) without prior permission from the Court.

iii. Copies of correspondence between counsel shall not be sent to the Court or filed on ECF except as exhibits to an otherwise properly filed document.

iv. Any request for relief shall be accompanied by a statement as to whether the opposing party consents to the requested relief and, if not, the reasons given by the adversary for refusing to consent.

b. Telephone Calls. Chambers is not accepting telephone calls at this time. Technical questions pertaining to ECF filings should be directed to the ECF Help Desk at helpdesk@nysd.uscourts.gov or (212) 805-0800.

c. Faxes. Faxes to Chambers are not permitted without express prior permission.

d. Hand Deliveries. Hand-delivered mail should be left with the Court Security Officers at the Worth Street entrance (200 Worth Street, New York, NY 10007) of the Daniel Patrick Moynihan United States District Courthouse. If the hand-delivered letter is urgent and requires the Court's immediate attention, ask the Court Security Officers to notify Chambers that an urgent package has arrived that needs to be retrieved by Chambers staff immediately.

e. Requests for Adjournments or Extensions of Time.

i. All requests for adjournments or extensions of time must be made in writing and filed on ECF as letter-motions per Section 2(a) of these Rules, not as ordinary letters.

ii. Absent an emergency, any request for extension or adjournment shall be made as early as possible, and **at least two business days** before the deadline or scheduled appearance. Extension requests will ordinarily be denied if made after the expiration of the original deadline.

The letter-motion must state: (1) the original date and the new date requested; (2) the number of previous requests for adjournment or extension; (3) whether these previous requests were granted or denied; (4) the reason for the extension or adjournment; (5) whether the adversary

consents and, if not, the reasons given by the adversary for refusal to consent; and (6) the date of the parties' next scheduled appearance before the Court.

iii. If the requested adjournment or extension affects any other scheduled dates, a proposed Revised Civil Case Management Plan and Scheduling Order must be attached, specifying all of the proposed changes (e.g., with a redline showing the differences between the operative Scheduling Order—see Section 3(c) below—and the proposed Revised Scheduling Order).

iv. A request for an adjournment of a conference must also include three alternative conference dates that are mutually agreeable to the parties.

v. A request to extend the deadline to complete all discovery is unlikely to be granted. But any such request shall include a statement as to what discovery requests have been propounded, who propounded each request, and on what date; what responses were made, who made each response, and on what date; and the volume of documents produced, who produced the documents, and on what date. The letter shall further include a statement as to any depositions that have been taken and on what date.

f. Related and Consolidated Cases.

i. After an action has been accepted as related to a prior filing, all future court papers and correspondence must contain the docket number of the new filing as well as the docket number of the case to which it is related (e.g., 22-CV-1234 [rel. 21-CV-4321]).

ii. After two or more actions have been consolidated for all purposes under a single docket number pursuant to Rule 42(a)(2) of the Federal Rules of Civil Procedure, all future court papers and correspondence should be filed only in the docket under which the cases have been consolidated.

3. Conferences

a. In-Person Conferences. In-person conferences will be held in Courtroom 905 of the Thurgood Marshall U.S. Courthouse, 40 Foley Square, New York, NY.

b. Remote Conferences.

i. Absent permission of the Court, no more than one attorney shall speak on behalf of any party.

ii. To facilitate orderly teleconferences and the creation of an accurate transcript where a teleconference is held on the record, counsel are required to identify themselves every time they speak. Counsel should spell any proper names for the court reporter and take special care not to interrupt or speak over one another.

c. **Initial Case Management Conference.** In most cases, the Court will schedule a Federal Rule of Civil Procedure 16(c) conference, by Order, to occur no more than three months after the filing of the complaint or notice of removal.

   Plaintiff's counsel (or, in a matter removed from state court, defense counsel) is directed to promptly notify all counsel of the Notice of Initial Pretrial Conference. In most cases, the Notice will direct the parties, among other things, to submit on ECF a joint letter and a proposed Civil Case Management Plan and Scheduling Order attached as an exhibit to the joint letter no later than **Thursday of the week prior** to the conference date. The parties shall use the Proposed Case Management Plan and Scheduling Order form available at the Court's website (https://nysd.uscourts.gov/hon-dale-e-ho).

d. **Authority Consistent with Proceeding.** All attorneys appearing before the Court must have the authority to bind the party they represent consistent with the proceedings (e.g., by agreeing to a discovery resolution or briefing schedule).

e. **Participation of Attorneys.** The Court invites the participation of less experienced attorneys (i.e., those with six or fewer years of experience), including attorneys from all backgrounds, where the attorney(s) played a substantial role in drafting the underlying filing or preparing the relevant witness. Notwithstanding Section 3(b)(i), the Court may permit more than one attorney to argue for one party. The ultimate decision of who speaks on behalf of the client is for the lawyer in charge of the case, not for the Court.

f. **Pronouns and Honorifics.** The parties and counsel are invited to advise the Court of their honorifics and/or pronouns—such as Ms., Mx., or Mr.—so that the Court may address them respectfully. People appearing before this Court may do so in writing and/or when appearing for conferences, hearings, or trials, by speaking to the Courtroom Deputy.

4. Motions

a. **Pre-Motion Letters and Conferences in Civil Cases.** Pre-motion letters and conferences are ***not*** required, except for: (i) discovery disputes under Section 4(k) of these Rules; and (ii) summary judgment motions in non-jury cases under Section 4(g) of these Rules.

b. **Timeline for Filing of Motion Papers.** Unless otherwise agreed upon by the parties and ordered by the Court, the parties shall assume that the submission deadlines outlined by Local Civil Rule 6.1 shall apply.

c. **Memoranda of Law.**

   i. Motion papers must conform to Local Civil Rule 11.1 of the S.D.N.Y. Local Rules.

ii. Memoranda of law in support of and in opposition to motions are limited to 25 pages and reply memoranda are limited to 10 pages.

iii. All memoranda of law shall be in twelve-point font or larger and double-spaced. All footnotes shall be in twelve-point font or larger and may be single-spaced.

iv. Memoranda of 10 pages or more shall contain a table of contents and a table of authorities, neither of which shall count against the page limit.

v. Sur-reply memoranda are not allowed (unless specifically permitted in extraordinary situations for good cause).

vi. All appendices to memoranda of law must be indexed.

d. Unpublished Cases. The parties need not provide copies of unpublished cases if the case is available on Westlaw or LexisNexis. For cases only available on Westlaw or Lexis, the Westlaw citation should be used whenever possible.

e. Oral Arguments on Motions.

i. **Rarely Held.** The Court rarely holds oral argument. But a party may request oral argument on a motion by indicating "ORAL ARGUMENT REQUESTED" on the cover page of its memorandum of law. If a party believes that the Court would benefit from oral argument for a particular reason not obvious from the parties' briefing, the party may file a letter explaining the reason—not a letter-motion—on ECF. The Court will determine whether argument will be heard and, if so, advise counsel of the argument date.

ii. **Participation by Less Experienced Attorneys Encouraged.** If oral argument would be handled in whole or in part by a less-experienced attorney, a party may so advise the Court consistent with Section 3(e) above.

f. Motions for Leave to Amend a Pleading. When moving to amend any pleading, the moving party shall file as an attachment to the motion a redline showing all differences between the operative pleading and the proposed amended pleading.

g. Summary Judgment Procedures.

i. **Discouraged in Non-Jury Cases.** Summary judgment motions are strongly discouraged in non-jury cases. Notwithstanding Section 4(a) of these Rules, a party seeking to file a motion for summary judgment in a non-jury case shall file a letter on ECF seeking leave to move for summary judgment prior to filing any motion.

ii. **Successive Motions Prohibited.** Parties may not file more than one motion for summary judgment absent prior Court approval.

iii. **Rule 56.1 Statements.** Any party moving for summary judgment shall provide all other parties with an electronic copy, in Microsoft Word format, of the moving party's Statement of Material Facts Pursuant to Local Rule 56.1 ("Rule 56.1 Statement"), limited to 20 pages. Opposing parties must reproduce each entry in the moving party's Rule 56.1 Statement and set out the opposing party's response directly beneath it. If the opposing party wishes to file their own, additional statements of material fact, it shall begin numbering each entry where the moving party left off. Such additional statements are limited to 20 pages. A Rule 56.1 Statement may contain only factual statements – any non-factual statements (e.g., legal argument) will not be considered by the Court.

iv. **Deposition Transcripts.** Deposition transcripts that are supplied in connection with a summary judgment motion, whether in whole or in part, should be text-searchable and include an index.

h. Default Judgment. A party seeking a default judgment must proceed by filing a motion for default judgment on ECF pursuant to Federal Rule of Civil Procedure 55(b)(2) and Local Civil Rule 55.2(b). A party seeking a default judgment should *not* proceed by order to show cause. The motion must be supported by the following papers:

i. If failure to answer is the basis for the default, a Certificate from the Clerk of Court stating that no answer has been filed;

ii. an attorney's affidavit or declaration setting forth:

1. the basis for entering a default judgment, including a description of the method and date of service of the summons and complaint;
2. the procedural history beyond service of the summons and complaint, if any;
3. legal authority for why such service was proper;
4. whether, if the default is applicable to fewer than all of the defendants, the Court may appropriately order a default judgment on the issue of damages prior to resolution of the entire action;
5. the proposed damages and the basis for each element of damages, including interest, attorney's fees and costs; and
6. legal authority for why an inquest into damages would be unnecessary;

iii. a proposed default judgment;

iv. copies of all the operative pleadings; and

v. a copy of the affidavit of service of the summons and complaint.

i. **Applications for a Temporary Restraining Order.** A party must confer with their adversary before making an application for a temporary restraining order unless the requirements of Federal Rule of Civil Procedure 65(b) are met. As soon as a party decides to seek a temporary restraining order, that party must file a letter on ECF (under seal if proceeding ex parte) and state clearly whether: (1) it has notified its adversary and whether the adversary consents to temporary injunctive relief; or (2) the requirements of Federal Rule of Civil Procedure 65(b)(1) are satisfied and no notice is necessary.

The moving party must email HoNYSDChambers@nysd.uscourts.gov giving notice of the filing and the time frame requested for Court action. The moving party should then file a Motion for a Temporary Restraining Order, supporting documents, and a proposed order on ECF in accordance with ECF procedures. Where the motion is made on notice to the other parties, the moving party should simultaneously serve the documents on any party that will not receive electronic service via ECF.

If a party's adversary has been notified but does not consent to temporary injunctive relief, the party seeking a restraining order must file the application at a time mutually agreeable to it and the adversary, so that the Court may have the benefit of advocacy from both sides in deciding whether to grant temporary injunctive relief.

j. **Proposed Orders and Stipulations.** Proposed orders to show cause, temporary restraining orders, stipulations, consent orders, and proposed judgments are to be filed electronically on ECF, as explained in the S.D.N.Y. Electronic Case Filing Rules and Instructions. Counsel should also email an electronic courtesy copy of any proposed order to Chambers, in both Microsoft Word and PDF formats.

k. **Discovery Disputes.** Parties must follow Local Civil Rule 37.2 with the following modifications.

   i. Any party wishing to raise a discovery dispute with the Court must first confer in good faith with the opposing party—in person, by videoconference, or by telephone—to resolve the dispute. Where a party raises a discovery dispute with the opposing party, the opposing party must make itself available to confer in good faith to resolve the dispute within **two business days** of a request for a conference.

   ii. If the meet-and-confer process does not resolve the dispute, the party seeking discovery may file on ECF a letter-motion, no longer than three pages, explaining the nature of the dispute and, if applicable, why the party is entitled to relief and requesting a conference before the Court.

   iii. Any letter-motion seeking relief must state: (1) the date and time of each conference conducted pursuant to Section 4(k)(i) above; (2) the

adversary's position as to each issue being raised; and (3) that the moving party informed the adversary during the last conference that the moving party believed the parties to be at an impasse and that the moving party would be requesting a conference with the Court.

iv. Any opposition to a letter-motion seeking relief shall be filed as a letter, not to exceed three pages, within **three business days**.

v. Counsel should seek relief in accordance with these procedures in a timely fashion. If a party waits until near the close of discovery to raise an issue that could have been raised earlier, the party is unlikely to be granted the relief that it seeks or more time for discovery.

vi. **Privilege Logs and Privilege Log Disputes.** Privilege logs should be sufficiently detailed to enable the receiving party to evaluate a claim of privilege, including identification of attorneys involved in the relevant documents or communications. Privilege logs must be promptly produced and updated on a rolling basis as documents are produced. Each log and update must include a certification from counsel that counsel has reviewed the withheld or redacted documents, and that there is a good-faith basis to assert privilege over those documents. Disputes related to privilege logs are subject to the Rules governing discovery disputes specified in Section 4(k). On its own initiative, the Court may order *in camera* production to the Court of unredacted documents from the producing party's log where a dispute is raised.

5. Pretrial Submissions and Procedures

a. Joint Pretrial Order. Unless otherwise ordered by the Court, at least **30 days** prior to the scheduled final pretrial conference, the parties shall both file on ECF, as a "Joint Pretrial Statement," and submit by email to HoNYSDChambers@nysd.uscourts.gov a proposed joint pretrial order, which shall include the following:

i. the full caption of the action;

ii. the names, law firms, addresses, telephone numbers, and email addresses of trial counsel if not already listed on the docket;

iii. a brief statement by plaintiff (or, in a removed case, by defendant) as to the basis of subject matter jurisdiction, and a brief statement by each other party as to the presence or absence of subject matter jurisdiction. Such statements shall include citations to all statutes relied on and relevant facts as to citizenship and jurisdictional amount;

iv. a brief summary by each party of the claims and defenses that the party asserts remain to be tried, including citations to any statutes on which the party relies. Such summaries shall also identify all claims and defenses previously asserted that are not to be tried. The summaries should not recite any evidentiary matter;

v. a statement as to the number of trial days needed and whether the case is to be tried with or without a jury;

vi. a joint statement summarizing the nature of the case, to be read to potential jurors during jury selection;

vii. a list of people, places, and institutions that are likely to be mentioned during the trial, to be read to potential jurors during jury selection;

viii. a statement as to whether all parties have consented to trial by a Magistrate Judge, without identifying which parties do or do not consent;

ix. any stipulations or agreed statements of fact or law to which all parties consent. In a jury case, the parties should memorialize any such stipulations or agreed upon statements of fact or law in a standalone document that can be marked and admitted at trial;

x. a list of all trial witnesses, indicating whether such witnesses will testify in person or by deposition, whether such witnesses will require an interpreter (and, if so, which party will pay the costs for the interpreter), and a brief summary of the substance of each witness's testimony. Absent leave of Court, a witness listed by both sides shall testify only once (with the defendant permitted to go beyond the scope of the direct on cross-examination), and counsel should confer with respect to scheduling;

xi. a designation by each party of deposition testimony to be offered in its case-in-chief and any counter-designations and objections by any other party. The parties need not designate deposition testimony to be used for impeachment purposes only;

xii. a list by each party of all exhibits to be offered in its case-in-chief, with a single asterisk indicating exhibits to which no party objects on any ground. If a party objects to an exhibit, the objection should be noted by indicating the Federal Rule of Evidence that is the basis for the objection. If any party believes that the Court should rule on such an objection in advance of trial, that party should include a notation to that effect (e.g., "Advance Ruling Requested") as well.

xiii. a statement of the damages claimed, and any other relief sought, including the manner and method used to calculate any claimed damages and a breakdown of the elements of such claimed damages; and

xiv. a statement of whether the parties consent to less than a unanimous verdict.

b. Required Pretrial Filings. Unless otherwise ordered by the Court, each party shall file and serve with the joint pretrial order:

i. in all cases, motions addressing any evidentiary issues or other matters that should be resolved *in limine*. Absent leave of the Court, each party must file a single memorandum of law, consistent with Section 4(c) above, in support of all motions *in limine* filed by that party;

ii. in all jury cases, joint requests to charge, joint proposed verdict forms, and joint proposed *voir dire* questions as specified by Section 5(d) below; and

iii. in all non-jury cases, proposed findings of fact and conclusions of law. The proposed findings of fact should be detailed and should include citations to the proffered trial testimony and exhibits, as there may be no opportunity for post-trial submissions. At the time of filing, parties should also submit copies of these documents to the Court by email, both in PDF format and as a Microsoft Word document.

c. Electronic Copies of Exhibits and Exhibit Lists. Unless otherwise ordered by the Court, the parties shall also submit with the joint pretrial order (but not file on ECF):

i. an electronic copy of each exhibit sought to be admitted (with each filename corresponding to the relevant exhibit number, e.g., "PX-1," "DX-1," etc.). If submission of electronic copies would be an undue burden on a party, the party may seek leave of Court (by letter-motion filed on ECF) to submit prospective documentary exhibits in hard copy. Each hard copy shall be pre-marked (i.e., with an exhibit sticker) and assembled sequentially; and

ii. a Microsoft Excel document listing all exhibits sought to be admitted, emailed to the court. The list shall contain four columns labeled as follows: (1) "Exhibit Number"; (2) "Description" (of the exhibit); (3) "Date Identified"; and (4) "Date Admitted." The parties shall complete the first two columns, but leave the third and fourth columns blank, to be filled in by the Court during trial.

d. Requests to Charge and Proposed *Voir Dire*. Unless otherwise ordered by the Court, in all jury trials, joint requests to charge, joint proposed verdict forms, and joint proposed *voir dire* questions shall be submitted as attachments to the proposed joint pretrial order, with any differing proposals displayed side-by-side or sequentially and supported by authority or other justification. At the time of filing, parties should also submit copies of these documents to the Court by email as Microsoft Word documents. For any request to charge or proposed *voir dire* question on which the parties cannot agree, each party should clearly set forth its proposed charge or question, and briefly state why the Court should use its proposed charge or question, with citations to supporting authority.

e. Additional Submissions in Non-Jury Cases. Unless otherwise ordered by the Court, at the time the joint pretrial order is filed, each party in a non-jury trial shall submit to the Court by email and serve on opposing counsel, but not file on ECF, the following:

i. copies of affidavits constituting the direct testimony of each trial witness, except for the direct testimony of an adverse party, a person whose attendance is compelled by subpoena, or a person for whom the Court has agreed to hear direct testimony live at the trial. The affidavit should be treated as a direct substitute for the witness's live testimony; that is, counsel should be attentive to the Rules of Evidence (e.g., hearsay and the

like) and authenticate any exhibits that will be offered through that witness's testimony. **Three business days** after submission of such affidavits, counsel for each party shall submit: (1) a list of any objections to particular paragraphs of an affidavit; and (2) a list of all affiants whom they intend to cross-examine at the trial. Only those witnesses who will be cross-examined need to appear at trial. The original signed affidavits should be brought to trial to be marked as exhibits;

ii. all deposition excerpts that will be offered as substantive evidence, as well as a one-page synopsis of those excerpts for each deposition. Each synopsis shall include page citations to the pertinent pages of the deposition transcripts; and

iii. proposed findings of fact and conclusions of law. The proposed findings of fact must be detailed and include citations to the proffered trial testimony and exhibits. The version of these documents submitted to the Court must be in Word format.

f. Filings in Opposition. Unless otherwise ordered by the Court, any party may file the following documents **within one week** after the filing of the pretrial order:

i. opposition to any motion *in limine*; and

ii. opposition to any legal argument in a pretrial memorandum.

6. Redactions and Filing Under Seal

a. Privacy Policy. The parties are referred to Federal Rule of Civil Procedure 5.2 and the S.D.N.Y. ECF Privacy Policy ("Privacy Policy").

b. Redactions Not Requiring Court Approval. There are two categories of information that may be redacted from public court filings without prior permission from the Court: "sensitive information" and information requiring "caution."

Parties should not include in their public filings, unless necessary, the five categories of "sensitive information," i.e.,

- social security numbers (use the last four digits only),
- names of minor children (use the initials only),
- dates of birth (use the year only),
- financial account numbers (use the last four digits only), and
- home addresses (use only the City and State).

Parties may also, without prior Court approval, redact from their public filings the six categories of information requiring "caution" described in the Privacy Policy, i.e.,

- any personal identifying number,
- medical records (including any information regarding medical treatment, including for substance abuse, and diagnosis),
- employment history,
- individual financial information,
- proprietary or trade secret information, and
- information regarding an individual's cooperation with the government.

c. Redactions and Sealed Filings Requiring Court Approval. Except for redactions permitted by the eleven categories of information identified in the Privacy Policy, *all redactions or sealing of public court filings require Court approval*. To be approved, any redaction or sealing of a court filing must be narrowly tailored to serve whatever purpose justifies the redaction or sealing and must otherwise be consistent with the presumption in favor of public access to judicial documents. In general, the parties' consent or the fact that information is subject to a confidentiality agreement between litigants is not, by itself, a valid basis to overcome the presumption in favor of public access to judicial documents.

d. Procedures for Filing Sealed or Redacted Documents. Any party seeking leave to file a document under seal or in redacted form shall proceed as follows:

i. **Meet and Confer.** The party should meet and confer with any opposing party (or any third party seeking confidential treatment of the information) in advance to narrow the scope of the request. When a party seeks leave to file a document under seal or in redacted form on the ground that an opposing party or third party has requested it, the filing party shall notify the opposing party or third party that it must file, within **three business days**, a letter explaining the need to seal or redact the document.

ii. **Sealed Document(s).** The party shall file a letter-motion seeking leave to file a document wholly under seal on ECF in accordance with Standing Order 19-MC-583 and Section 6 of the S.D.N.Y. Electronic Case Filing Rules and Instructions. The letter-motion itself shall be filed in public view, should explain the reasons for seeking to file the document under seal, and should not include confidential information. The proposed sealed document shall be contemporaneously filed under seal on ECF (with the appropriate level of restriction) and electronically related to the motion (or to the relevant Court order if the Court previously granted leave to file the document under seal). Note that the summary docket text, but not the document itself, will be open to public inspection and should not include confidential information sought to be filed under seal.

iii. **Redacted Document(s).** Where a party seeks leave to file a document in redacted form, the party shall file a letter-motion seeking leave to file a

document in redacted form on ECF in accordance with Standing Order 19-MC-583 and Section 6 of the S.D.N.Y. Electronic Case Filing Rules and Instructions. The letter-motion itself shall be filed in public view, should explain the reasons for seeking to file the document in redacted form, and should not include confidential information. At the same time, the party shall: (1) publicly file on ECF and electronically relate to the letter-motion a copy of the document with the proposed redactions; and (2) file under seal on ECF (with the appropriate level of restriction) and electronically relate to the motion an unredacted copy of the document with the proposed redactions highlighted.

iv. **Submission by Email.** Any party unable to comply with the requirement for electronic filing under seal on ECF, or who believes that a particular document should not be electronically filed at all, shall file a letter-motion by email, seeking leave of the Court to file in a different manner. Such letter-motions may be emailed to HoNYSDChambers@nysd.uscourts.gov as text-searchable PDF attachments, with copies simultaneously delivered to all counsel. In the subject line, the cover email should state clearly: (1) the caption of the case, including the lead party names and docket number; and (2) a brief description of the nature of the request. Parties shall not include substantive communications in the body of the email.

7. **Settlement Agreements.** As soon as the parties reach an agreement to settle in principle, the parties must email HoNYSDChambers@nysd.uscourts.gov to alert the Court and file a joint letter promptly. The Court will not retain jurisdiction to enforce confidential settlement agreements. If the parties request that the Court retain jurisdiction to enforce an agreement, the parties must place the terms of their settlement agreement on the public record. The parties may request that the Court endorse the settlement agreement or include the terms of their settlement agreement in their stipulation of settlement and dismissal.

8. **Policy on Use of Electronic Devices**

   a. **Personal Electronic Devices.** Attorneys' use of personal electronic devices (including mobile phones) and general purpose computing devices (such as laptops and tablets) within the Courthouse and its environs is governed by Standing Order M10-468. When Court permission is required under the Standing Order, attorneys seeking to bring electronic devices to the Court should email a completed Model Court Order to HoNYSDChambers@nysd.uscourts.gov no later than **five business days** before the relevant trial or hearing. Upon the Court's approval, Chambers will coordinate with the District Executive's Office to issue the order and forward a copy to counsel. The order must be presented upon bringing the electronic device(s) into the Courthouse. *If permitted by the*

Standing Order, mobile telephones are permitted inside the Courtroom, but they MUST be kept turned off at all times.

b. Wi-Fi Access for Hearings and Trials. Attorneys may obtain authorization to use the Court's Wi-Fi system in Judge Ho's Courtroom during a hearing or trial. For further information, see Judge Ho's Individual Practices for Hearings and Trials, available on the Court's website (https://nysd.uscourts.gov/hon-dale-e-ho).