

**HONORABLE CHRISTINE P. O'HEARN
UNITED STATES DISTRICT JUDGE**

JUDICIAL PREFERENCES

I. CONTACT INFORMATION

Chambers of Christine P. O’Hearn
United States District Judge
Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets, Room 6050
Camden, NJ 08101

Courtroom Deputy
Haley Minix (856) 757-5167

Court Reporter
Meta Goddard (855) 621-7919

Chambers Email Address
njdnef_ohearn@njd.uscourts.gov

Courtroom
5A

II. COURTESY COPIES

If electronically filed documents exceed fifty (50) pages, two courtesy copies of the electronically filed/ECF stamped motion papers shall be mailed to Chambers within seven (7) days the papers are filed on ECF. **All exhibits shall be clearly labeled, tabbed and bound. Paperclips, binder clips and rubber bands will not be accepted.**

*Sealed submissions will not have the electronically filed/ECF stamp.

III. PRE-MOTION CONFERENCE

In an effort to resolve cases expeditiously, before bringing a **motion to dismiss, motion for a more definite statement, motion to remand, motion for change of venue, motion to compel arbitration, or motion for judgment on the pleadings**, a party must submit a letter, not to exceed three (3) single-spaced pages, requesting a pre-motion conference. The letter must set forth the basis for the anticipated motion and include citations to relevant authority. Within seven (7) days after receipt of this letter, all adversaries must submit a written response, not to exceed three (3) single-spaced pages. No party may submit a reply letter unless directed by the Court. Affidavits and exhibits are not permitted unless directed by the Court. A proffer by the attorney, however, of the contents of any such affidavit(s) and/or exhibit(s) shall suffice.

The Court will attempt to resolve the dispute(s) at a pre-motion conference (in person or via telephone/videoconference), to the extent possible. If the dispute cannot be resolved at the pre-motion conference (or if the Court determines that a conference would not be helpful), the moving party may proceed with filing its motion. To be clear, this procedure does not preclude a party from filing any of the above motions pursuant to Local Civil Rule 12.1. Rather, the Court hopes to use this procedure to advance the case efficiently and minimize the costs of litigation to the parties. In addition, compliance with this procedure shall not be deemed a waiver of any parties’ defenses as to lack of personal jurisdiction, improper venue, insufficient process, or insufficient service of process.

A party’s submission of a pre-motion letter will toll that party’s time to file its motion (or answer) through (i) the date of the pre-motion conference or (ii) the Court’s decision not to conduct such a conference. If the Court determines that a pre-motion conference would not be helpful and instructs

a party to proceed with filing its proposed motion without a conference, that party shall have an additional seven (7) days to file after its Fed. R. Civ. P. 12(a) deadline, unless additional time is stipulated or the Court so orders.

This letter exchange does not apply in cases in which either side is *pro se* or in bankruptcy or social security appeals.

IV. MOTIONS FOR FINAL JUDGMENT BY DEFAULT

All motions for final judgment by default pursuant to Fed. R. Civ. P. 55(b)(2) shall include a brief which addresses each of the elements necessary to support the entry of a final judgment by default.

V. RESPONSES TO STATEMENTS OF MATERIAL FACTS

When responding to a Statement of Material Facts, the responding party should include the fact that they are responding to and provide a response as to whether it is admitted or denied in a single document. Stated differently, any response must include both the fact as stated by the moving party, and the opposing party's response, in a single document (*i.e., similar to the usual format for interrogatory responses*). Non-compliant filings will be administratively terminated and required to be re-filed.

EXAMPLE:

1. The sky is blue.
 - a. **Response:** Admitted.

2. The grass is red.
 - a. **Response:** Denied. See

VI. ELECTRONIC SUBMISSIONS

All parties, with the exception of *pro se* parties, shall file all documents, in both civil and criminal matters, via ECF. All papers electronically submitted shall, to the extent possible, be submitted in a text-searchable PDF format.

VII. EXTENSIONS OF TIME ON CONSENT

All requests for extensions shall be filed via ECF and be accompanied by a proposed order. Any requests for extensions shall indicate whether all parties consent.

VIII. ADJOURNMENT REQUESTS

Any request for an adjournment shall include:

- (1) The date(s) to be adjourned;
- (2) The number of previous requests;
- (3) The reason for the request; and
- (4) If all parties consent.

Communications regarding scheduling and adjournments are handled by the Deputy Clerk, Haley Minix. If an adjournment is being sought, counsel shall first attempt to obtain consent from all parties and provide the Court with new dates upon which all parties are available. Absent exigent circumstances, adjournment requests made less than two days prior will not be granted.

IX. COMMUNICATIONS WITH THE COURT/CHAMBERS

Please do not contact Chambers with legal or procedural questions that are covered by the Local Rules of this Court or the Federal Rules of Civil Procedure. Communications with law clerks are limited to Chambers' procedural matters only and not as to any substantive matters.

X. ORAL ARGUMENT

If the Court grants a request for oral argument or wishes to hear argument when no request has been made, the parties will be notified via ECF. The Court is more likely to grant oral argument if a party represents, at the time of the filing of the request for argument, that a junior attorney (i.e. less than five years' experience) will present the argument. A supervising attorney may attend to assist only if necessary.

XI. FORMAT OF PROPOSED JURY CHARGES

All proposed jury charges shall be submitted in the following format:

- (1) Cover Page, which shall include the full case caption, identical to the caption used on filings in this matter;
- (2) Individual Charges, which shall comply with the following requirements:
 - a. Each proposed charge shall begin on a new page;
 - b. Each page shall contain only one charge;
 - c. At the top of each page, the charge shall include the charge number (sequentially numbered); the applicable model jury charge number, if any; the title or name of the charge; and the full proposed charge language.

Submissions that do not comply with these requirements may be rejected or returned for correction.

EXAMPLE:

**JURY CHARGE NO. 1, Third Circuit Model Civil Jury Instruction No. 1.1,
Introduction; Role of Jury**

Now that you have been sworn, I have the following preliminary instructions for your guidance as jurors in this case.

You will hear the evidence, decide what the facts are, and then apply those facts to the law that I will give to you.

You and only you will be the judges of the facts. You will have to decide what happened. I play no part in judging the facts. You should not take anything I may say or do during the trial as indicating what I think of the evidence or what your verdict should be. My role is to be the judge of the law. I make whatever legal decisions have to be made during the course of the trial, and I will explain to you the legal principles that must guide you in your decisions. You must follow that law whether you agree with it or not.