



December 2015



Wyoming Fun Fact:
What is the animal called that looks like a rabbit with antlers?

A Jackalope is a fictitious animal that is supposed to be a cross between a jackrabbit and an antelope.

Nominations for the Sidebar?

Contact Tiffany Dyer at the

Clerk's office in

Casper at 307/232-2620

U.S. DISTRICT CLERK'S COURTERLY

Reminder to Counsel:

Please remember that JERS submissions are required to be provided to the Office of the Clerk of Court a minimum of five (5) days prior to the commencement of trial. Early submissions are always welcome, but they must be complete and not a partial submission with more to follow.

Please be mindful when providing the exhibit descriptions on the "Exhibits.txt file" with your JERS submission, that these are the descriptions that the jury will see when using the JERS system to review the exhibits during deliberations. Please use impartial descriptions as counsel for all parties will be responsible for reviewing and objecting to any descriptions they feel are problematic prior to the release of evidence to the jury.

As this is still a new system, please see the JERS section on our website for basic information and instructions on the requirements of the program. If you have any questions or concerns that are not answered by the website, please contact the Office of the Clerk of Court.

Assignment of Civil cases to Magistrate Judges:

In those civil cases fully assigned to a Magistrate Judge, each party shall execute and mail to the Clerk's Office within fourteen (14) days from the filing of an answer or other responsive filing (i.e. a motion to dismiss) either a written consent to the exercise of authority by the full-time Magistrate Judge under 28 U.S.C. § 636(c), or a written election to have the action reassigned to a District Judge.

<http://www.wyd.uscourts.gov/htmlpages/genorders.html>

Filing documents over the counter:

If you are filing documents over the counter, please do not staple the original.



Initial Pretrial Conferences before Judge Freudenthal

Parties are reminded that Judge Freudenthal has issued General Administrative Order 2013-02, setting out the requirements for initial pretrial conferences before Judge Freudenthal. That General Order requires the parties to meet and confer and file a Joint Case Management Report no less than seven (7) days prior to the initial pretrial conference. The Joint Case Management Report should also be provided to Judge Freudenthal's public email at wyojudgeNDF@wyd.uscourts.gov in word or word perfect format. The General Administrative Order sets out the contents of the Joint Case Management Report and a form is available on the District Court's website under Forms, then under Judge Freudenthal's Forms.

Parties are welcome to call in for initial pretrial conferences, but all participants should arrange to call into chambers on one line. Please contact Judge Freudenthal's judicial assistant Kellie Erickson at 307-433-2190 or Kellie_Erickson@wyd.uscourts.gov if you have any questions regarding these procedures.

<http://www.wyd.uscourts.gov/htmlpages/genorders.html>



DOCKETING TIPS

Pro Hac Vice Motions

Please remember to comply with Local Rule 84.2 when filing Motions to Appear Pro Hac Vice.

<http://www.wyd.uscourts.gov/htmlpages/localrules.html>

Stipulation of Dismissal

If you are filing a stipulation of dismissal under Fed. R. Civ. P. 41(a) (1)(A)(ii), please use the event stipulation of dismissal, found under civil events/other documents.

Filing Non-Dispositive or Dispositive Motions

In order to direct the filing of these motions to the proper Judge, please make sure you chose whether the motion is non-dispositive or dispositive. For example, a motion to exceed page limit on a motion for summary judgment would be docketed as a motion to file excess pages (dispositive) since the motion it pertains to is a dispositive motion.

Material That Cannot Be Converted to Electronic Form

Materials that cannot be converted to electronic form, (e.g., videotapes, audiotapes, etc.) must be filed conventionally by delivering them directly to the Clerk's Office (with the original plus one copy). The filing the materials pertain to may be e-filed, with the other materials delivered to the Clerk's Office immediately thereafter.

Sealed Documents and Documents for *In Camera* Review

Any document sought to be filed under seal or submitted for *In Camera* Review shall be filed conventionally (with the original plus one copy) and brought to the Clerk's office in a sealed envelope with a cover sheet attached. These documents shall be retained by the Court in paper format. It is the responsibility of the filing party to serve all sealed documents to the appropriate parties.

<http://www.wyd.uscourts.gov/htmlpages/cmecf.html>





The Geekbyte2



Although we do everything we can to provide you with up-to-date technology, it is constantly changing - Please plan ahead by following these important steps:

1. Test your DVD in a standard DVD player prior to bringing it to the courtroom. If it does not play in a standard unit, it most likely will not play in our DVD player. You may also play it using your own laptop thru our system.
2. Bring adapters to EXTEND OR CONVERT your laptop or tablet technology to use our technology as described above. If you have an Apple device or laptops without a VGA port or need to sit farther than counsel table VGA cable extends (which is about 2 feet) you will need the adapters and/or cables.

It is strongly recommended that if an adapter is required, that it be installed and tested prior to using in the courtroom to avoid courtroom delays. **As laptops differ, you may need to consult a technician, your local technology store or go online to look them up for your specific device.**

3. Change your display resolution to 1024 x 768. Our video system has difficulties with other resolutions and may create problems displaying the evidence unless 1024 x 768 is used. Some systems use the 60Hz or 70Hz refresh rate with positive results. Some laptops may not have the settings stated above and if that is the case with your system, you may need to coordinate a test with our equipment prior to court to ensure compatibility.
4. When you connect to the Courtroom VGA cable, set your laptop to mirror displays so that the AV system can transmit the signal to the Courtroom monitors. You should be familiar with this process prior to trial date.
5. Consider having alternate versions of media players. Sometimes Windows Media Player will not accurately play a video when VLC or Winamp players will (reversed scenarios as well)

Below are 2 examples of USB to VGA converters. One example (bordered) is a converter for Apple products and the other is for Windows.

6. Please remove screen savers and power saving mode to prevent your laptops from entering sleep mode. Sleep and power saving modes will confuse the displays and the image may not be presented. Disconnecting the laptop and reconnecting has resolved this issue (if you see this issue during court).

Note: Our courthouse has a guest wireless network. Inactivity time out will cause disconnection from network and require reconnecting. To avoid this, periodically move your mouse over and click in your email to send a "still alive" signal to the wireless network. Below are 2 examples of USB to VGA converters. One example (bordered) is a converter for Apple products and the other is for Windows.



COURT REPORTER CORNER



Jan Davis

I had no idea when I chose the life of a court reporter 35 years ago what great adventures and opportunities for personal growth lay in store. I found my way from South Dakota and Nebraska to Ohio, and then to Guam, and finally to what became my home in Wyoming. I have been blessed with a rich personal and professional life.

I was born in Valentine, Nebraska, and raised on a ranch outside of Mission, South Dakota, where I attended parochial grade school and high school. I baled hay and branded cattle, cooked for hay crews and helped with calving, waitressed and worked as a sous chef in a French restaurant and as a clerk for the BLM. I met many wonderful people who were part of my life education.

I attended the University of Nebraska at Lincoln, and while there decided to pursue a career in reporting. My love of language and a good challenge carried me along through the critical first years acclimating to the life of a reporter. Every day brought new opportunities. The assignments I had were always interesting and offered me the opportunity to learn about many walks of life, and of course the incredible legal predicaments in which members of our species so often find themselves.

As a single parent of three in the early '90s, I returned to Cheyenne, first to freelance and then to serve in the federal judiciary. I have had the pleasure of working with Wyoming's Bar for over 21 years as a freelance reporter and partner in Wyoming Reporting Service, as well as through my affiliation with the federal courts. Over the better part of 20 years, I have had the privilege of serving six of Wyoming's federal judges as a federal official court reporter for the District of Wyoming. I am currently assigned to Chief Judge Nancy D. Freudenthal.

I have reported in states and territories, and in facilities ranging from leather and mahogany boardrooms to pole barns. Living and working in Wyoming has been a delight. We have a talented and gracious bar, and our state and federal benches are dedicated to serving the people of Wyoming and this country.

I served as an officer and president of the Wyoming Professional Court Reporters Association, and I also served the United States Court Reporters Association through various officer positions, and finally as national president. I am currently the USCRA Tenth Circuit Representative, and I have been a member of the Board of Directors since the mid-1990s. I hold the Registered Diplomate Reporter and Federal Certified Realtime Reporter certifications, and in 2012 was awarded the Samuel M. Blumberg, Jr., Award of Excellence by USCRA.

I have thoroughly enjoyed participating in various law student mock trials and ACTL/ABOTA/UW Law School's Summer Trial Institute, or as it is commonly known, Trial Boot Camp. It has been a wonderful experience to share the reporter's perspective on aspects of trial practice with law students, and then to see them putting what they have learned to good use in actual cases in our courtrooms.

I am blessed to be married to Justice Michael Davis. We reconnected after years of single parenting, and after a couple of backpacking trips and running some whitewater with only minor mishaps, we were married in 2006. We share our home in Cheyenne with my father, William Dew, an old cowboy who just celebrated his 90th birthday. I have been blessed with two sons, one daughter and two grandchildren (so far) who all bring joy and interest to life.

I feel privileged to have had the opportunity to serve in Wyoming's federal court, and I hope to continue the adventure in the days and years to come.



SIDEBAR

The Profile of a Wyoming Lawyer



David Weiss

I was born and raised outside of Philadelphia, Pennsylvania. After leaving college for a couple of years returned to Philadelphia and graduated Temple University in 1993. I went to graduate school at the University of Florida for Literature, for 2 years but after evaluating the job prospects in Academia I returned to Philadelphia and took a job as a furniture mover. Although enjoying that job the long term prospects seemed problematic so I decided to give law school a shot. I graduated Temple University School of Law in 2000, and my first job out of law school was as an Associate at a Plaintiff's law firm that dealt primarily with Medical Malpractice. I did not find that job fulfilling in the least and left after eight months. I returned to moving furniture and doing part time legal work as I re-evaluated my career options. In 2003 I took a job at the Philadelphia Defender's Association where I remained for five years spending the last two years in the Major Trial Division. In late 2007, when my son Wyatt was a year old, my wife - Amy Gorbey, a professional actress, who was beginning to focus less on acting - and I decided we wanted to move out of the City and give Wyoming a try. I was hired by The Wyoming Federal Defender's office and started working here in January, 2008. In 2010 we had a second child (our daughter Rosie) and this past summer my wife was hired as the Managing Director of the Cheyenne Little Theater. We have been very happy with our decision to move to Wyoming.