

RECEIVED FOR ENTRY

M

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

AUG 13 2007

CLERK

DEPUTY CLERK

IN RE: REASSIGNMENT OF)
RELATED CIVIL CASES) Administrative Order No. 176

ADMINISTRATIVE ORDER

I. Reassignment of Related Civil Cases.

a. New Civil Case Assignments. Pursuant to LR 40.01, all new civil cases shall be assigned on a random selection basis, unless otherwise ordered by the Court.

b. Reassignment of Related Cases. A civil case assigned to a District Judge may be reassigned to another District Judge as a Related Case as set forth herein when such reassignment is in the interest of justice. Nothing herein shall create a right of reassignment of Related Cases. The reassignment of cases is discretionary and is within the exclusive province of the Court.

c. Definition of Related Cases. Cases may be considered "Related Cases" based on the following non-exclusive factors:

1. The cases arise out of the same transaction, occurrence, or series of transactions or occurrences (see, e.g., Fed. R. Civ. P. 20);
2. The cases involve common questions of law or fact (see, e.g., Fed. R. Civ. P. 42(a));
3. The cases involve one or more of the same parties or the same property;
4. The relief sought in the cases could result in a party being subject to conflicting orders or judgments;
5. Substantial duplication of effort and expense by the Court and the parties could occur if different District Judges presided over the cases;
6. Substantial savings of judicial time and resources could result if the cases were handled by the same District Judge; or

7. It is in the interest of justice, based on the totality of the circumstances, for the same District Judge to preside over each of the cases.

II. Procedure for Reassignment of Related Civil Cases.

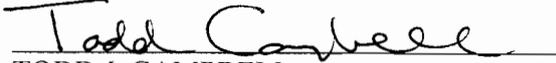
a. New Cases. Counsel for a party filing a new Related Case shall set forth on the Civil Cover Sheet all Related Cases. The Clerk of Court shall randomly assign the case, unless otherwise ordered by the Court. Any request for reassignment of a new case as a Related Case shall be made promptly by filing a Motion supported by a Memorandum in accordance with LR 7.01.

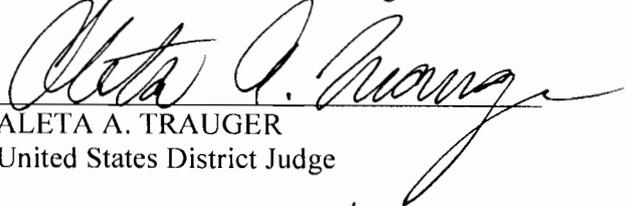
b. Other Pending Cases. A pending civil case, other than a newly filed case, that is subsequently determined to be a Related Case may be reassigned upon Motion of a party, supported by a Memorandum in accordance with LR 7.01, or sua sponte by the Court.

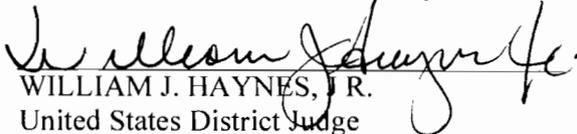
c. Recusal. Upon a District Judge entering an order of recusal or other withdrawal from a civil case, the Clerk of Court shall reassign the case on a random selection basis. The case may then be reassigned as a Related Case, if applicable, in accordance with the provisions of this Administrative Order.

d. Related Case Determination. Upon the filing of a Motion for reassignment of a Related Case, or sua sponte by the Court, a case may be reassigned as a Related Case if the District Judges presiding over each of the cases determine and agree that the cases are Related Cases. Related Cases shall be transferred to the District Judge presiding over the first case filed. The District Judge presiding over the reassigned case shall enter an Order making the transfer and explaining the reasons for the reassignment.

It is so ORDERED.


TODD J. CAMPBELL
Chief United States District Judge


ALETA A. TRAUGER
United States District Judge


WILLIAM J. HAYNES, JR.
United States District Judge