

August 19, 2003

**M E M O R A N D U M**

TO: All Virgin Islands Attorneys Public and Private  
FROM: Jeffrey L. Resnick  
U.S. Magistrate Judge  
RE: Combination of Pleadings  
CC: Hon. Raymond L. Finch, Chief Judge  
Hon. Thomas K. Moore, District Judge  
Hon. Geoffrey W. Barnard, District Judge  
Wilfredo Morales, Clerk of Court

Further to institution of our Judicial Automated Management System ("JAMS") in 1996, Orinn Arnold, then Clerk of the Court, issued a Memorandum dated March 13, 1996 directing attorneys not to combine pleadings. We continue however to receive pleadings such as "Opposition to Motion to Compel and Motion for Protective Order Regarding All Discovery"; or "Opposition to Motion to Extend Scheduling Order and Motion to Strike Plaintiff's Expert Witness." The problem with such pleadings is that typically a motion is countered by a response and then a reply. If a party's response starts a new motion, it is unclear when briefing is complete and the motions cannot readily be closed on JAMS, e.g.:

1. Plaintiff's Motion to Compel Discovery;
2. Defendant's Opposition to Plaintiff's Motion to Compel Discovery and Motion for a Protective Order Regarding All Discovery;
3. Plaintiff's Reply to Defendant's Opposition to Plaintiff's Motion to Compel, Plaintiff Opposition to Defendant's Motion for Protective Order; and Plaintiff's Motion to Strike Defendant's Motion for Protective Order, etc., etc.

Accordingly, attorneys should not combine responses/replies with motions for other relief, but rather should file separate motions therefor. To the extent the relief requested in such separate motion impacts a party's response/reply to a pending motion, the response/reply may include a reference that such separate motion has been filed and relates to the subject motion.