

Judge Albright Announced His Latest Changes To His Order Governing Procedures

SEPTEMBER 18, 2022

Judge Albright announced his latest changes to his Order Governing Procedures (OGP), which are now published on the [Western District of Texas website](#).

Here are the highlights:

- **DISCOVERY DISPUTES.** All discovery disputes pending in front of Judge Albright are now automatically referred to Judge Gilliland under 28 U.S.C. § 636(b)(1)(A). Also, the OGP clarifies that in a discovery dispute, when the parties are at an impasse after lead counsel have already met and conferred on the issue, and after the requesting party has emailed a summary of the issues to all counsel of record, the responding party now has three (3) “business” days which is defined as excluding weekends and federal holidays.
- **REPLY BRIEFS.** Reply briefs, in addition to the local rules, are limited to 20 pages per side for all MSJs, 20 pages per side for all *Daubert* Motions, and 10 pages for all *Motions in Limine*.
- For *Markman* briefs, MSJs, and *Daubert* Motions, the parties must jointly contact the Court’s law clerk for a Box link to provide an electronic copy of the briefs, exhibits, and optional technology tutorials instead of providing these via USB drive. However, if the Court has appointed a technical advisor, the parties must still deliver these materials via USB drive to the technical advisor.
- **ZOOM HEARINGS.** Hearings before Judge Albright will occur at: <https://txwd-uscourts.zoomgov.com/j/1613131172?pwd=ek9WOFZLeHZXalNYVmFOdkJabDJJoQT09>, and hearings before Judge Gilliland will occur at <https://txwd-uscourts.zoomgov.com/j/1610427634?pwd=V2RpaERVTkdySGI4b2F6cTZGSWRiZz09>
- **RELATED CASES.** Plaintiffs filing patent cases must now file a “Notice of Related Cases” on the day of filing the patent case. Cases are considered “related” for these purposes when they meet both criteria: (1) the cases are actively pending in federal court, and (2) the cases share at least one common patent.

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