



**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
OFFICE OF THE CLERK**

Reply to Northern Division Address

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NOTICE

On September 21, 2011, the Court revised its Regulations Governing the Reimbursement of Expenses in Pro Bono Cases in the United States District Court for the District of Maryland, which are included as Appendix C to the Court's Local Rules. The change increased the monetary limit for reimbursement from \$5,000 to \$10,000. A revised page 127 of the July 2011 Edition of the Local Rules is attached and includes the new monetary limit.

Additionally, a revised page 14 is attached and remedies the incorrect reference to Federal Rule of Civil Procedure 26 in Local Rule 104.11. Page 124 will remain blank for page numbering purposes until the next edition of the Local Rules.

These changes will be included in the next edition of the Court's Local Rules. Questions and inquiries may be directed in writing to the Clerk's Office, Attention: Local Rules and Forms Committee, or to MDD_LocalRules@mdd.uscourts.gov.

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c) Filing of Certificate of Conference and Motions and Memoranda

i) Cases Subject to Electronic Filing

If counsel fail to resolve their differences during their conference, the party seeking to compel discovery shall file the certificate required by L.R. 104.7, and shall append thereto a copy of the motion and memoranda previously served by the parties under L.R. 104.8.a.

ii) Cases Exempt from Electronic Filing

If counsel fail to resolve their differences during their conference, the party seeking to compel discovery shall file (i) the certificate required by L.R. 104.7, and (ii) the original and two (2) copies of its motion and memorandum concerning the motion to compel and three (3) copies of all other memoranda concerning the motion.

9. Smoking During Depositions Prohibited

Unless all persons present otherwise agree, smoking is prohibited in the room in which a deposition is being taken.

10. Actions and Witnesses Exempted from Provisions of Fed. R. Civ. P. 26(a)(2)(B)

Unless otherwise ordered by the Court a party must provide the disclosures required by Fed. R. Civ. P. 26(a)(2)(B) only as to experts retained or specially employed by a party to provide expert testimony. The disclosures need not be provided as to hybrid fact/expert witnesses such as treating physicians. The party must disclose the existence of any hybrid fact/expert witness pursuant to Fed. R. Civ. P. 26(a)(2)(A), and disclose the subject matter on which the witness is expected to present evidence under Fed. R. Evid. 702, 703, or 705, as well as a summary of the facts and opinions to which the hybrid fact/expert witness is expected to testify, pursuant to Fed. R. Civ. P. 26(a)(2)(C). In addition, an adverse party may obtain the opinions of such witnesses (to the extent appropriate) through interrogatories, document production requests, and depositions.

11. Fees and Costs

a) Interpretation of Fed. R. Civ. P. 26(b)(4)~~(C)~~[(E)]

Unless otherwise ordered by the Court, any reasonable fee charged by an expert for the time spent in a discovery deposition and in traveling to and from the deposition shall be paid by the party taking the deposition. The fee charged by the expert for time spent preparing for the deposition shall be paid by the party designating the expert. The expert may not charge an opposing party for a discovery deposition a

APPENDIX C: REGULATIONS GOVERNING THE REIMBURSEMENT OF EXPENSES IN PRO BONO CASES IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

I. ELIGIBILITY FOR REIMBURSEMENT

When an attorney has been appointed to represent an indigent party in a civil case before this Court, that attorney shall be allowed to petition the Court for reimbursement of certain expenses, incurred in the preparation and presentation of the case, subject to these regulations. The limit applicable to such expenses, unless otherwise requested by counsel and approved by the Court's Attorney Admissions Committee, is ~~five thousand dollars (\$5,000.00)~~ **[ten thousand dollars (\$10,000.00)]**.

II. RESTRICTIONS ON ELIGIBILITY

Any costs that are either waived or recoverable under the provisions of Title 18, U. S. Code or Title 28, U.S. Code or which have been otherwise recovered shall not be reimbursed from the Admissions Fund.

In no case shall an appointed attorney for a party who has been awarded costs and/or fees pursuant to a judgment in a suit before this Court be eligible for reimbursement of those costs and/or fees from the Admissions Fund.

Only those costs associated with the preparation or presentation of a civil action in the United States District Court for the District of Maryland shall be approved for reimbursement. No costs associated with the preparation or presentation of an appeal to the U.S. Court of Appeals or the U.S. Supreme Court shall be reimbursed from the Admissions Fund.

III. PROCEDURES FOR PETITIONING FOR REIMBURSEMENT

A. Within thirty (30) days of the entry of a judgment, the appointed attorney shall file with the Judge a request for reimbursement of costs on a form approved by the Court and available from the Clerk. Where it is considered necessary and appropriate, the Judge may approve an interim reimbursement of extraordinary and substantial expenses.

In cases in which an appointed attorney has withdrawn or has been dismissed prior to the entry of a judgment, that attorney shall file a request for reimbursement within thirty (30) days of such withdrawal or dismissal. Any work product obtained with expenditures from the Admissions Fund shall