

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

Plaintiff, :  
v. : Civil Action No. JJF  
Defendant. :

**MEMORANDUM ORDER**

Counsel for a party who files a motion for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure shall, at the time of filing the motion, also file a Statement certifying that no genuine issues of material fact exist with regard to the facts argued in support of the motion.

Any party opposing the motion may, within the time provided by Rule 56 and after reviewing the motion, opening brief, appendix and Statement, file a Counter-Statement certifying that genuine issues of material fact exist and setting forth the material facts the party contends are disputed. The Counter-Statement shall be filed in lieu of an answering brief. The movant shall file a response to the Counter-Statement within five (5) business days of service of the Counter-Statement.

The parties shall file no additional papers regarding the Motion for Summary Judgment until the Court decides whether factual disputes exist that would prohibit summary disposition.

If the Court decides that there are no factual disputes, an answering brief and reply brief will be ordered.

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DATE

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UNITED STATES DISTRICT JUDGE