



## **ASSIGNMENT OF CASES TO VISITING JUDGES**

May 26, 2017

In light of the two District Judge vacancies, the Court has found it necessary to invite judges from outside of the District to handle District of Delaware cases.

The Court has created a “roster” of visiting judges, which as of today consists of the following judges:

- Judge Mitchell Goldberg of the Eastern District of Pennsylvania
- Judge Gerald McHugh of the Eastern District of Pennsylvania
- Judge Mark Kearney of the Eastern District of Pennsylvania
- Senior Judge Eduardo Robreno of the Eastern District of Pennsylvania

The Court is extremely grateful to Judges Goldberg, McHugh, Kearney, and Robreno, as well as to Chief Judge Petrese Tucker of the Eastern District of Pennsylvania, for lending us this generous assistance.

Beginning immediately, the Court will be reassigning a portion of Senior Judge Robinson’s cases to a visiting judge. When Judge Robinson retires from the bench in July, it is anticipated that the overwhelming majority of her cases will be reassigned to a visiting judge.

Also beginning immediately, the Court will be reassigning certain cases from the Vacant Judgeship docket (“VAC”) to a visiting judge. The cases in the VAC docket are currently being assigned to one of the three Magistrate Judges – and this practice will continue. However, upon the filing of a “case-dispositive” matter (e.g., a motion to dismiss, motion for judgment on the pleadings, motion for summary judgment, or initiation of the claim construction process), VAC cases will be considered ready for reassignment to a visiting judge.

Litigants and counsel are reminded that they may consent to the jurisdiction of a Magistrate Judge to handle their case or to handle any particular case-dispositive matter within

any case.

As the Court previously announced (on February 3, 2017), all new criminal matters are – and will continue to be – assigned to Chief Judge Stark, Judge Andrews, and Senior Judge Sleet.

The Court expresses its deep gratitude to Chief Judge D. Brooks Smith, of the U.S. Court of Appeals for the Third Circuit, who has been tremendously helpful as the Court has worked to obtain the assistance of visiting judges. Chief Judge Smith has also agreed to sit by designation and handle a District of Delaware case. His colleague, Judge Kent A. Jordan, has presided over multiple cases for this Court over the past decade and will be continuing this practice going forward.

The procedures set out in this Announcement are subject to change at any time. The roster of visiting judges may also change at any time. In particular, the Court expects to add to the roster of visiting judges if one or both of the current vacancies persists. The Court remains hopeful that the vacancies will be filled in a timely manner.