



ASSIGNMENT OF CASES TO VISITING JUDGES – UPDATE

September 22, 2017

As previously announced (on 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.

More than a dozen District and Circuit judges have now taken District of Delaware cases. The Court remains extremely grateful to these judges for lending us this generous assistance.

All of Retired Judge Sue Robinson's cases have been reassigned. The Vacant Judgeship docket ("VAC"), which receives one quarter of all new civil cases, is generally being handled as follows. New VAC cases are originally assigned to one of our three Magistrate Judges. Then, 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 are considered ready for reassignment to a visiting judge.

Currently, the large majority of VAC cases ready for reassignment are being assigned to one of the following visiting judges:

- Judge Mitchell Goldberg (Eastern District of Pennsylvania ("EDPA"))
- Judge Gerald McHugh (EDPA)
- Judge Mark Kearney (EDPA)
- Senior Judge Eduardo Robreno (EDPA)
- Senior Judge Joseph Bataillon (District of Nebraska)

In addition, over the next several months, the Court will be receiving assistance from judges in the Middle District of Pennsylvania ("MDPA"). Beginning immediately, certain non-patent cases that had been assigned to Judge Stark or Judge Andrews will be reassigned to an MDPA judge. Additionally, going forward, some non-patent cases that would otherwise have

been assigned to the VAC docket will instead be assigned to an MDPA judge.

The following are the MDPA judges who are currently providing assistance:

- Chief Judge Christopher Conner
- Judge John Jones, III
- Judge Robert Mariani
- Judge Malachy Mannion
- Judge Matthew Brann

Other judges to whom cases have been recently reassigned are:

- Chief Judge Brooks Smith of the Court of Appeals for the Third Circuit
- Judge Kent Jordan of the Court of Appeals for the Third Circuit
- Judge William Bryson of the Court of Appeals for the Federal Circuit

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. In addition, all three of these District Judges are continuing to be assigned a full and equal share of the Court’s civil docket.

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.