

**NOTICE TO THE BAR**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**TEMPORARY MODIFICATIONS OF THE FOLLOWING LOCAL RULES  
IN HURRICANE SANDY LITIGATION**

**LOCAL CIVIL RULES 201.1(f)(1), 201.1(g), 201.1(h)(1), 301.1(c),  
and 301.1(e)(6) FOR ARBITRATION AND MEDIATION**

The United States District Court for the District of New Jersey announces that the following Standing Order is posted for public comment as required by 28 U.S.C. § 2071(b). These changes became effective on an emergency basis on August 13, 2014, following preliminary approval of the Board of Judges. The changes apply only to Hurricane Sandy litigation. The Standing Order provides the following:

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

In Re:

**TEMPORARY MODIFICATION OF  
LOCAL CIVIL RULES 201.1(f)(1),  
201.1(g), 201.1(h)(1), 301.1(c), and  
301.1(e)(6) IN HURRICANE SANDY  
LITIGATION**

**STANDING ORDER 14-3**

Due to the high volume of complaints in Hurricane Sandy litigation, the Court determines, under 28 U.S.C. § 2071(e) and Local Civil Rule 83.2, that there is an immediate need to temporarily modify Local Civil Rules 201.1(f)(1), 201.1(g), 201.1(h)(1), 301.1(c) and 301.1(e)(6). Such modifications, which shorten certain arbitration and mediation time periods and address mediation fees, are needed in Hurricane Sandy cases only, to which they shall apply exclusively.

**THEREFORE, IT IS, this 13th day of August, 2014**

**ORDERED** that:

For purposes of this Standing Order, "Hurricane Sandy litigation" refers to all civil cases containing claims of loss, whether by flood, wind, or other means, arising from the October 2012 storm event.

The above-mentioned Local Civil Rules are temporarily modified in Hurricane Sandy litigation as follows:

**L. Civ. R. 201.1(f)(1)**: The arbitrator may extend the date of the hearing by a maximum of 14 days beyond the hearing date set forth in the Court's Order, instead of 30 days;

**L. Civ. R. 201.1(g)**: The arbitrator must file his/her written award within 14 days after the hearing commences unless enlarged by a Judge or Magistrate Judge, rather than within 30 days after the hearing is concluded;

**L. Civ. R. 201.1(g)**: The arbitration award shall be entered as the judgment of the Court after the 30 day period for demanding trial *de novo* in all Hurricane Sandy litigation cases pursuant to L. Civ. R. 201.1(h)(1) as modified herein has expired, rather than the 60 day period in cases where the United States or any employee or agency thereof is a party;

**L. Civ. R. 201.1(h)(1)**: The period for filing and serving a written demand for trial *de novo* shall be 30 days in all Hurricane Sandy litigation, rather than 60 days in those cases in which the United States or any employee or agency thereof is a party.

**L. Civ. R. 301.1(c)**: A mediator shall be compensated a total of \$250 for service in each case referred to mediation, rather than being compensated at the rate of \$300 per hour; further, the mediator shall be responsible for billing the parties, who shall bear equal portions of the mediator's bill;

**L. Civ. R. 301.1(e)(6)**: All proceedings in a civil action shall be stayed for a period of 30 days, rather than 90 days, from the date that the civil action is referred to mediation, during which period the mediation shall be completed; however, the 30-day stay period is subject to modification by a Judge or Magistrate Judge upon request of the mediator; and

**IT IS FURTHER ORDERED** that such temporary modifications shall be in effect for a period not to exceed one year and until further Order of the Court; in the meantime, the Court shall afford public notice and opportunity to comment upon these temporary modifications pursuant to 28 U.S.C. § 2071(e).

S/Jerome B. Simandle  
JEROME B. SIMANDLE  
Chief U.S. District Judge

Any comments must be received by the Clerk of the Court by September 18, 2014. Comments should be addressed to:

William T. Walsh, Clerk of Court  
United States District Court  
Martin Luther King Jr. Federal Bldg. & U.S. Courthouse  
50 Walnut St.  
Newark, NJ 07101  
or by e-mail to: [localrules@njd.uscourts.gov](mailto:localrules@njd.uscourts.gov)