

Rule 81 – Applicability of the Rules in General; Removed Actions

OKLAHOMA NORTHERN DISTRICT COURT – REDLINE VERSION

LCvR81-1 Removed Actions - Demand for Jury Trial.

Unless a written jury demand has been filed of record in state court, trial by jury is waived in any case removed from a state court unless a demand for jury trial is filed and served within the time period provided under Fed. R. Civ. P. 38 and 81.

LCvR81-2 Removed Actions - Documents to be Filed.

(a) A defendant or defendants who remove a civil case from the state court to this Court shall, in addition to filing a notice of removal, file a clearly legible copy of all documents filed or served in the case, along with a copy of the docket sheet of the case. ~~The defendant or defendants shall provide to the Court an extra copy of any motion pending before the state court at the time of removal. The defendant or defendants shall also file a Status Report on Removed Action on the form provided by the Clerk.~~

~~(b) If any motion remains pending in state court at the time of removal, and if the movant wishes the District Court to rule on the motion, the party that initially filed the motion must refile the motion in the District Court case, and attach any responses and replies.~~

ADDED LANGUAGE SIMILAR TO EASTERN DISTRICT OF OKLAHOMA THAT REQUIRES PARTIES TO REFILE ANY PENDING MOTIONS RATHER THAN CURRENT PROCEDURE OF FILING A STATUS REPORT AND PROVIDING A COPY OF ALL PENDING MOTIONS.

LCvR81-3 Removed Actions - Bankruptcy.

A notice of removal from state court filed pursuant to Fed. R. Bankr. P. 9027 shall be filed with the bankruptcy clerk. Such removed actions are automatically referred to the bankruptcy court pursuant to LCvR84.1(a)(4).