

Judge Karen B. Owens

**Phase 1 Reopening Hearing Procedures
and General Reminders dated July 1, 2020**

Except as set forth herein, the Court's General Chambers Procedures and other orders and procedures shall govern all procedural aspects of cases before the Court.

A. Manner of Hearings

1. Hearings before Judge Owens shall be held telephonically via CourtCall¹ unless (i) the hearing is a first-day hearing; (ii) live witness testimony may be presented at the hearing either on direct or cross after introduction of a declaration or proffer; or (iii) otherwise directed by the Court.
2. In the circumstances detailed in paragraph 1(i)-(iii), hearings before Judge Owens shall be conducted telephonically via CourtCall and by video via Zoom unless otherwise directed by the Court that a hearing will be held in-person at the courthouse.
 - a. For first day hearings, counsel for the Debtors shall contact Ms. Lopez, Judge Owens' courtroom deputy, for the Zoom meeting information and password.
 - b. For all other hearings, counsel for the Debtors should work with all movants and objecting parties to determine whether live witness testimony will be necessary and indicate such on the agenda or, if reasonably possible, prior thereto. Following receipt of the agenda, Ms. Lopez will provide the Zoom meeting information and password for inclusion on an amended agenda.
 - c. Once the Zoom meeting information and password is received by the Debtors, the following should be placed on the hearing agenda or amended hearing agenda, as applicable:

This hearing will be held telephonically via CourtCall and, in certain circumstances, by video via Zoom. **All** parties wishing to appear must do so telephonically by contacting CourtCall, LLC at 866-582-6878. Only those parties that will be addressing the court should appear by video via zoom in addition to their CourtCall registration.

YOU MUST USE YOUR FULL NAME WHEN LOGGING INTO ZOOM OR YOU WILL NOT BE ALLOWED INTO THE MEETING.

¹ Instructions for making telephonic appearances may be found [here](#).

**PLEASE NOTE THAT MICROPHONES ON THE
ZOOM MEETING WILL BE MUTED AND THE ONLY
AUDIO WILL BE THROUGH COURTCALL.**

[Insert Zoom Meeting Information]

- d. During a hearing held via telephonic and video, no party shall address the Court via Zoom as all audio will be through CourtCall. Additionally, access to Zoom will be locked to new participants 10 minutes after the start of the hearing. Those wishing to join after this time will need to contact chambers for admittance.
3. As a reminder, telephonic and video hearings are official Court proceedings. Disruptions may result in removal from the hearing.
4. In-person hearings shall be minimized and limited to critical cases only. Counsel may make a request to the Court for an in-person hearing. Requesting counsel shall explain why it believes the hearing should be in-person, represent that it previously notified all relevant parties of the request, and indicate whether such parties have consented to the request.
5. Persons appearing by video via Zoom are expected to appear in appropriate courtroom attire.

B. Certain Procedures for Non-In-Person Hearings

1. Presentation of Revised Proposed Orders – If a movant intends to present a proposed form of order to the Court that contains revisions to the original proposed form of order submitted with its motion, counsel for the movant shall endeavor to provide to the Court the revised form of order in clean and redline form at least 1 hour prior to the hearing.
2. Presentation of Live Witness Testimony – A party sponsoring a witness or witnesses must provide by email to all relevant parties and the Court as soon as possible, but no later than 2 hours prior to the hearing, the following for each witness:
 - a. The name of the witness and the relevant motion for relief.
 - b. Whether in the first instance direct testimony of the witness will be presented by proffer or declaration and, if by declaration, when such declaration will be filed. Please note that if the witness will submit a declaration, the declaration should be available to the witness during testimony.
 - c. The location of the witness (city, state, country).

- d. A description of the place from which the witness will be testifying (*e.g.*, “home”, “office” – specific addresses shall not be provided).
 - e. Whether anyone will be in the room with the witness during his/her testimony and, if so, who (name/title/relationship to witness) and for what purpose.
 - f. Whether the witness will have any documents with him/her and, if so, what documents.
 - g. The party or parties who may seek to cross examine the witness and their respective counsel.
3. Presentation of Documentary Evidence
- a. All parties intending to introduce documentary evidence must supply a list of exhibits with reference to the applicable CM/ECF docket number. If an exhibit is not on the docket, please supply such exhibit by email (in .pdf format) to all relevant parties and the Court as soon as possible, but no later than 2 hours before the hearing.
 - b. If necessary, the party sponsoring a witness will be responsible for ensuring that any relevant exhibits are supplied to the witness ahead of the hearing.

C. General Reminders

- 1. Judge Owens will only accept proposed orders electronically. All related docket numbers must be included in the caption of the proposed order when uploaded. Additionally, all exhibits to the proposed order must be uploaded as separate attachments.²
- 2. Counsel need not deliver hard copies of documents to chambers unless otherwise directed. Only if paper copies of documents are requested, please note the following for the convenience of the Court:
 - a. Provide two sets of First Day Binders, Notice of Completion of Briefing Binders, and trial exhibits.
 - b. Staple all documents that are not included in a binder.
 - c. Insert exhibit tabs where appropriate.
 - d. Print any sealed documents on yellow paper.

² For step by step instructions on uploading E-Orders, please review the electronic learning module under CM/ECF Attorney Training on the Court’s website.