

*Cy
Candy*

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

U.S. DISTRICT
NORTHERN DISTRICT
FILED
MAY 30 2000
NANCY DOHERTY, CLERK
BY _____
Deputy

JOHN PAPAGNI, ET AL.,
Plaintiffs,

v.

HAMMERSMITH TRUST, L.L.C.,
ET AL.,
Defendants.

ENTERED ON DOCKET
MAY 31 2000
U.S. DISTRICT CLERK'S OFFICE

CIVIL ACTION NO.
3:CV-00-1065-P

**STANDING ORDER OF REFERENCE
AND NOTICE OF OPTION TO CONSENT TO
PROCEED BEFORE THE MAGISTRATE JUDGE**

This case is hereby referred to United States Magistrate Judge Jeff Kaplan for pretrial management. All non-dispositive motions are prospectively referred to the magistrate judge for determination. All dispositive motions are prospectively referred to the magistrate judge for report and recommendation. All other pretrial matters, including scheduling and alternative dispute resolution, are referred to the magistrate judge for appropriate action consistent with applicable law. Judge Kaplan will issue a separate order governing the filing and disposition of pretrial motions.

I.

The parties may consent to have all further proceedings in this case, including a jury or non-jury trial, conducted by the magistrate judge. See 28 U.S.C. Section 636(c). In this regard, the attorneys shall advise their clients that Judge Kaplan will likely be able to give this case a special trial setting. This Court is unable to accommodate such a request because of criminal cases and older civil matters that take precedence on its docket. Alternatively, the parties may consent to have the magistrate judge make final rulings on case dispositive motions, while reserving their right to trial before the district judge. A consent form is attached for your convenience. This form must be completed by each party and returned to the district clerk within 20 days from the date of this Order. Any party is free to withhold consent without substantive adverse consequences.

II.

If all parties consent to the authority of the magistrate judge for all purposes, the case will be transferred to Judge Kaplan. An appeal from a judgment entered by the magistrate judge will be taken directly to the appropriate United States court of appeals in the same manner as an appeal from any other judgment of a district court.

III.

192


If all parties do not consent, the case will remain with Judge Kaplan for pretrial management. Judge Kaplan will issue a scheduling order and preside over all pretrial matters, including determining all non-dispositive motions and making recommendations on all dispositive motions.

IV.

Any questions concerning this Order or any matter related to this case should be directed to Judi Andrew, Judicial Assistant to Magistrate Judge Jeff Kaplan at 214/753-2400.

IT IS SO ORDERED.

Signed May 30, 2000 at Dallas, Texas.



JORGE A. SOLIS
UNITED STATES DISTRICT JUDGE