

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

GENERAL ORDER REGARDING CM/ECF DATABASE TECHNICAL FAILURE

This court's CM/ECF database suffered a technical failure at approximately 3:30 p.m. on Friday, May 2, 2008. The database is still not operational as of the date and time of this order. It is expected that it will become operational again in one to three business days.

All parties should use their best efforts to comply with existing scheduling deadlines by timely serving opposing counsel, but, in light of the above, all formal filing deadlines in this court occurring between the dates of Friday, May 2, 2008 and Sunday, May 11, 2008 are hereby EXTENDED to Monday, May 12, 2008 pursuant to Local Rule CV-5(a)(10).¹ Any emergency matters occurring between the dates of May 2, 2008 and May 11, 2008 may be conveyed to the court in paper or electronic format via hand delivery, conventional mail, facsimile or electronic mail. Counsel filing such emergency documents retain the responsibility to serve those documents on opposing counsel per Fed.R.Civ.P. 5. Clerk's office personnel will load these "emergency" documents into the CM/ECF database as soon as it becomes operational, and will note in the docket entry the time and date those documents were originally received by the court.

Signed this 6th day of May, 2008.

¹Local Rule CV-5(a)(10), states:

- (10) **Technical Failures.** A technical failure does not relieve a party of exercising due diligence to timely file and serve documents. A Filing User whose filing is made untimely as the result of a technical failure at the court will have a reasonable grace period to file from the time that the technical failure is cured. There will be a notice on the court's website indicating when the database was down and the duration of the grace period. A Filing User whose filing is made untimely as the result of a technical failure not attributable to the court may seek appropriate relief from the court.

FOR THE COURT:


THAD HEARTFIELD
Chief Judge