

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

\_\_\_\_\_  
IN RE: )  
 )  
Local Civil Rule 26.01. )  
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\_\_\_\_\_ )

**ORDER**

Upon due consideration by the Court, Local Civil Rule 26.01 of the United States District Court for the District of South Carolina, is amended so that compliance with Local Civil Rule 26.01 will satisfy the requirements of Federal Rule of Civil Procedure 7.1 as amended on December 1, 2022. Local Civil Rule 26.01, in the form appended hereto, is hereby adopted and promulgated by the Court. This amended local civil rule becomes effective December 1, 2022.

Pursuant to Title 28 U.S.C. § 2071(b) and Rule 83 of the Federal Rules of Civil Procedure, proper public notice of amended Local Rule Civil Rule 26.01 and opportunity for comment have been given.

DONE AND ORDERED by the Court this 16 day of November, 2022.

FOR THE COURT:

  
\_\_\_\_\_  
R. Bryan Harwell, Chief Judge  
United States District Court  
District of South Carolina

26.01: *Interrogatories to Be Answered by Each Party.* Answers to the interrogatories set out below are used for purposes of assigning cases and shall be filed with the court and served on all parties at the time a party first appears. In removed cases, the removing defendant shall file these responses with the removal papers. All other parties shall file responses no later than fourteen (14) days after service of the notice of removal. If a party fails to file the required responses on time, the clerk of court shall draw the requirement to the attention of the party (or counsel) and allow fourteen (14) days to file responses. The clerk of court shall have the authority to extend the time for responding. Absent order to the contrary, categories of actions listed in Fed. R. Civ. P. 26(a)(1)(B) are exempt from the requirements of this rule. Compliance with this rule satisfies the requirements of Fed. R. Civ. P. 7.1. The following information is required:

(A) State the full name, address, and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of that interest.

(B) As to each claim, state whether it should be tried jury or nonjury and why.

(C) State whether the party submitting these responses is a publicly-owned company and separately identify (1) any parent corporation and any publicly held corporation owning ten percent (10%) or more of the party's stock; (2) each publicly-owned company of which it is a parent; and (3) each publicly owned company in which the party owns ten percent (10%) or more of the outstanding shares.

(D) State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division). See Local Civ. Rule 3.01 (D.S.C.).

(E) Is this action related in whole or in part to any other matter filed in this district, whether civil or criminal? If so, provide (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases that *may be* related regardless of whether they are still pending. Whether cases *are* related such that they should be assigned to a single judge will be determined by the clerk of court based on a determination of whether the cases arise from the same or identical transactions, happenings, or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.<sup>14</sup>

(F) [*Defendants only.*] If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

(G) [*Defendants only.*] If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of their liability.

(H) [*Parties or Intervenors in a Diversity Case.*] In an action in which jurisdiction is based on diversity under 28 U.S.C. § 1332(a), a party or intervenor must, unless the court orders otherwise, name--and identify the citizenship of--every individual or entity whose citizenship is attributed to that party or intervenor. This response must be supplemented when any later event occurs that could affect the court's jurisdiction under § 1332(a).