

Nov 19 2020

United States District Court  
Northern District of Ohio  
General Order**GENERAL ORDER NO. 2020-26****UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO**

CREATION OF THE CIVIL DOCKET	)	ORDER NO. 2020-26
FOR JUDGE JAMES R. KNEPP, II	)	
	)	
	)	

Having been sworn-in to serve as U.S. District Judge in Toledo for the U.S. District Court for the Northern District of Ohio on November 19, 2020, Judge James R. Knepp, II shall immediately be removed from the magistrate judge draw and shall be placed on the district judge civil draw. Judge Knepp shall be placed on the criminal draw 30 days thereafter. Accordingly, his magistrate judge docket shall be reassigned as follows:

**Consent Cases**

The consent cases that had been assigned to Judge Knepp in his role as a magistrate judge shall be placed on Judge Knepp's district judge docket. In the event Judge Knepp wishes to refer one of these cases to a magistrate judge to provide assistance, the Clerk's Office is to randomly assign an Eastern Division magistrate judge.

**Social Security and Habeas Referrals**

All pending social security and habeas matters that had been referred to Judge Knepp in his role as a magistrate judge shall be randomly reassigned and automatically referred to an Eastern Division magistrate judge. If the parties wish to consent to the jurisdiction of the assigned Eastern Division magistrate judge, pursuant to 28 U.S.C. Section 636(c), they should complete and electronically file with the Clerk of Court a Consent to Exercise Jurisdiction by a United States Magistrate Judge form.

## General Civil and Criminal Case Referrals

All pending civil and criminal cases that were referred to Judge Knepp in his role as a magistrate judge shall be returned to the assigned district judge. In the event a district judge wishes to refer one of these cases to a magistrate judge to provide assistance, the Clerk's Office is to randomly assign an Eastern Division magistrate judge or directly refer the case to a visiting judge.

In order to create a docket for Judge Knepp, the Court has agreed to the following method:

- (1) Judge Knepp's initial docket will include:
  - (a) Judge Knepp's consent docket as a magistrate judge.
  - (b) Cases transferred from the other active Western Division judges to bring Judge Knepp's total up to the Western Division average.
- (2) The average docket will be determined by dividing the pending civil inventory on November 19, 2020 by four, the number of active judges in the Western Division.
- (3) To establish the portion of Judge Knepp's docket described in (1)(b), Judges Helmick, Carr and Zouhary have agreed that the total number of cases transferred to Judge Knepp will consist of 80% of cases from Judge Helmick and 20% of cases from Judge Zouhary. Judge Carr has elected not to transfer any cases to Judge Knepp.
- (4) No case may be transferred to Judge Knepp which has previously been transferred twice before. No judge may transfer a case more than two years old. Should a judge have insufficient cases to transfer within a category, then waivers will be generated.
- (5) The selection and distribution of cases shall apply to the following categories of cases. The percentages are representative of the pending caseload in the Western Division, as of November 19, 2020.

### **CATEGORY**

### **PERCENTAGE**

1 - Admiralty	0.14%
2 - Antitrust	0.14%
3 - Civil Rights	22.70%
4 - Contract	7.18%
5 - Habeas Corpus	14.37%
6 - Labor Relations	11.06%

<b><u>CATEGORY</u></b>	<b><u>PERCENTAGE</u></b>
7 - Patent	0.29%
8 - Personal Injury	16.52%
9 - Review of Adm. Action	18.39%
10 - Tax	0.43%
11 - Unfair competition, trademark & copyright	0.43%
12 - General Civil	8.33%
TOTAL	100.00%

- (6) Attached to this order is a breakdown of the number of cases by category a judge may transfer or waive to Judge Knepp.
- (7) The transferor judge will identify those cases by category to be transferred and shall provide a list of transferred cases by category to the Clerk by November 30, 2020.
- (8) In the event Judge Knepp is disqualified from hearing a case which was transferred to him pursuant to this order, that case shall be returned to the transferor judge. The transferor judge will then be permitted to designate for transfer another case in the same category.

**IT IS SO ORDERED.**

FOR THE COURT




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Patricia A. Gaughan  
Chief Judge

WD Creation of Docket for Hon. James R. Knepp				
Based on Pending Dockets on November 19, 2020				
Civil Cases to be Transferred or Waived to New Judge				
<b>Category</b>	<b><u>Zouhary</u></b>	<b><u>Carr</u></b>	<b><u>Helmick</u></b>	<b><u>Total</u></b>
Admiralty	0	0	0	0
Antitrust	0	0	0	0
Civil Rights	6	0	23	29
Contract	2	0	7	9
Habeas	4	0	16	20
Labor Relations	3	0	11	14
Patent	0	0	0	0
Personal Injury	3	0	18	21
Admin. Review	5	0	19	24
Tax	1	0	0	1
Unfair Competition	0	0	0	0
General Civil	2	0	9	11
<b>Transfer</b>	<b>26</b>	<b>0</b>	<b>103</b>	<b>129</b>
2+ years *	0	0	0	0
Remaining **	102	176	290	568
* Number of cases to transfer that can be 2 years or older				
** Includes Death Penalty Habeas Cases				