

Dec 07 2020

United States District Court  
Northern District of Ohio  
General Order

**GENERAL ORDER NO. 2020-27**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO**

|                            |   |                   |
|----------------------------|---|-------------------|
| CREATION OF THE DOCKET FOR | ) | ORDER NO. 2020-27 |
| JUDGE J. PHILIP CALABRESE  | ) |                   |
|                            | ) |                   |

In order to create a docket for newly appointed Judge J. Philip Calabrese, the Court has agreed to the following method:

- (1) The December 4, 2020 pending civil dockets will be utilized in arriving at the "average docket".
- (2) The following judges shall participate in the creation of the docket prompted by the arrival of Judge Calabrese:

Hon. Patricia A. Gaughan, Chief Judge  
 Hon. Solomon Oliver, Jr.  
 Hon. James S. Gwin  
 Hon. Dan Aaron Polster  
 Hon. John R. Adams  
 Hon. Christopher A. Boyko  
 Hon. Sara E. Lioi  
 Hon. Benita Y. Pearson  
 Hon. Pamela A. Barker  
 Hon. Donald C. Nugent

- (3) The average docket will be determined by each of the participating judges transferring approximately the same number of cases.
- (4) No case may be transferred to Judge Calabrese 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 pending in the Eastern Division, as of December 4, 2020.

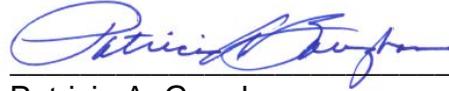
| <b><u>CATEGORY</u></b>                            | <b><u>PERCENTAGE</u></b> |
|---|--------------------------|
| 1 - Admiralty                                     | 0.05%                    |
| 2 - Antitrust                                     | 0.05%                    |
| 3 - Civil Rights                                  | 18.87%                   |
| 4 - Contract                                      | 10.23%                   |
| 5 - Habeas Corpus                                 | 14.66%                   |
| 6 - Labor Relations                               | 11.16%                   |
| 7 - Patent  | 1.59%                    |
| 8 - Personal Injury                               | 6.07%                    |
| 9 - Review of Adm. Action                         | 19.58%                   |
| 10 - Tax  | 0.33%                    |
| 11 - Unfair competition,<br>trademark & copyright | 2.41%                    |
| 12 - General Civil                                | 14.99%                   |
| 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 Calabrese. The Clerk's Office will provide a link to the actual case listing of cases that may be transferred.
- (7) The transferor judge will identify those cases by category to be transferred and shall provide his/her list of transferred cases by category to the Clerk by December 16, 2020.
- (8) In the event Judge Calabrese 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.
- (9) The prior magistrate judge assignments to cases transferred under this protocol will remain unchanged.
- (10) For the convenience of the parties, judges are asked, all other things being equal, to give consideration to transferring "Cleveland" based cases.

- (11) Judge Calabrese will be placed on the civil draw on December 14, 2020 and on the criminal draw 30 days thereafter.

**IT IS SO ORDERED.**

For the Court



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Patricia A. Gaughan  
Chief Judge

ED Creation of Docket for Hon. J. Philip Calabrese

Based on Pending Dockets on December 4, 2020

**Approximately Equal Method**

Civil Cases to be Transferred or Waived to New Judge

| <u>Category</u>  | <u>Gaughan</u> | <u>Oliver</u> | <u>Gwin</u> | <u>Polster</u> | <u>Adams</u> | <u>Boyko</u> | <u>Barker</u> | <u>Lioi</u> | <u>Pearson</u> | <u>Nugent</u> | <u>Total</u> |
|--|----------------|---------------|-------------|----------------|--------------|--------------|---------------|-------------|----------------|---------------|--------------|
| Admiralty  | 0              | 0             | 0           | 0              | 0            | 0            | 0             | 0           | 0              | 0             | 0            |
| Antitrust  | 0              | 0             | 0           | 0              | 0            | 0            | 0             | 0           | 0              | 0             | 0            |
| Civil Rights   | 3              | 3             | 3           | 3              | 3            | 3            | 3             | 3           | 3              | 3             | 30           |
| Contract   | 2              | 2             | 2           | 2              | 2            | 2            | 2             | 2           | 2              | 2             | 20           |
| Habeas   | 2              | 3             | 2           | 2              | 2            | 2            | 2             | 2           | 2              | 2             | 21           |
| Labor Relations  | 2              | 2             | 2           | 2              | 2            | 2            | 2             | 2           | 2              | 2             | 20           |
| Patent   | 0              | 0             | 0           | 0              | 0            | 0            | 0             | 0           | 0              | 0             | 0            |
| Personal Injury  | 1              | 1             | 1           | 1              | 1            | 1            | 1             | 1           | 1              | 1             | 10           |
| Admin. Review  | 3              | 3             | 3           | 3              | 3            | 3            | 3             | 3           | 3              | 2             | 29           |
| Tax  | 0              | 0             | 0           | 0              | 1            | 0            | 0             | 0           | 0              | 0             | 1            |
| Unfair Competition   | 0              | 0             | 1           | 0              | 0            | 1            | 1             | 1           | 1              | 1             | 6            |
| General Civil  | 3              | 3             | 3           | 3              | 3            | 3            | 3             | 3           | 3              | 3             | 30           |
| <b>Transfer</b>  | <b>16</b>      | <b>17</b>     | <b>17</b>   | <b>16</b>      | <b>17</b>    | <b>17</b>    | <b>17</b>     | <b>17</b>   | <b>17</b>      | <b>16</b>     | <b>167</b>   |
| 2+ years *   | 0              | 0             | 0           | 0              | 0            | 0            | 0             | 0           | 0              | 0             | 0            |
| Remaining **   | 71             | 206           | 246         | 119            | 167          | 162          | 193           | 196         | 204            | 107           | 1671         |
| * Number of cases to transfer that can be 2 years or older |                |               |             |                |              |              |               |             |                |               |              |
| ** Includes Death Penalty Habeas Cases                     |                |               |             |                |              |              |               |             |                |               |              |