

**MOTIONS IN CIVIL CASES BEFORE THE  
HONORABLE SARAH M. DAVENPORT  
UNITED STATES DISTRICT JUDGE**

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**I. GENERAL INSTRUCTIONS**

Motions, responses, and replies shall be governed by the Federal Rules of Civil Procedure, the Local Rules of the District of New Mexico, and this Court's Orders.

The combined length of a motion and supporting brief must not exceed 27 double spaced pages. A response must not exceed 24 double spaced pages. A reply must not exceed 12 double spaced pages. The left, right, and bottom margins must be at least one inch, and the top margin must be at least one and a half inches.

Except for footnotes and quotations, the text of all documents must be double spaced. For double spaced text, parties should use the default double spacing—or approximately 28 points—in Microsoft Word, Google Docs, and Apple Pages.

**II. MOTIONS FOR SUMMARY JUDGMENT AND MOTIONS IN LIMINE**

Each party is limited to filing one motion for summary judgment and one motion in limine.

A party may move for an extension of the page limitations established by Local Rules 7.5 and 10.5 if such an extension is reasonably necessary to brief the issues. An extension of more than five pages will rarely be granted.

When a motion for summary judgment or motion in limine presents multiple issues, the issues shall be presented in separately numbered subsections. Any party opposing the motion shall respond to the issues in the same sequence and using the same numbering as the motion's subsections.

**III. MOTIONS TO SEAL**

The following guidance is provided to all parties moving to seal documents.

Courts have long recognized a common-law right of access to judicial records. *Lanphere & Urbaniak v. Colorado*, 21 F.3d 1508, 1511 (10th Cir. 1994). The moving party overcomes a presumption in favor of access to judicial records by “articulating a real and substantial interest that justifies depriving the public of access to the records that inform our decision-making process.” *Eugene S. v. Horizon Blue Cross Blue Shield of N.J.*, 663 F.3d 1124, 1135–36 (10th Cir. 2011).

All motions to seal therefore must acknowledge the public's interest in accessing court documents and describe how that interest is outweighed by the countervailing interests of the parties. All motions to seal must reference case-specific facts and must describe, with precision, the interests of the parties in sealing the document.

These instructions apply with equal force to (1) motions to file documents under seal, (2) motions to seal documents already filed, and (3) motions to unseal documents that were previously filed under seal. Motions to seal filed out of compliance with these instructions may be summarily denied.