

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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IN RE: MATTER OF CASES PREVIOUSLY
ASSIGNED TO THE HON. SANDRA J.
FEUERSTEIN

**ADMINISTRATIVE ORDER
NO. 2021-08**

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As with all cases in the U.S. District Court for the Eastern District of New York, this matter has been assigned randomly to a designated Magistrate Judge for all pretrial and non-dispositive matters in accord with 28 U.S.C. § 636(a) and (b).

The parties have the right to have a District Judge assigned to this matter or, if the parties choose, they may consent to have the Magistrate Judge already assigned preside over this matter for all purposes pursuant to Rule 73 of the Federal Rules of Civil Procedure and 28 U.S.C. § 636(c). If all parties consent, the assigned Magistrate Judge will conduct all further proceedings in this matter, including trial and entry of final judgment. Any appeal from a judgment of the assigned Magistrate Judge shall be taken to the United States Court of Appeals for the Second Circuit in the same manner as an appeal from any other judgment of the District Court in accordance with 28 U.S.C. § 636(c)(3).¹

The decision to consent or not to consent to the exercise of jurisdiction by the assigned Magistrate Judge is entirely voluntary and any party may advise the Clerk of the Court that they do not consent to the jurisdiction of the assigned Magistrate Judge for all purposes and, instead, request random assignment of this case to a District Judge. No adverse consequences of any kind will befall any attorney or party who does not consent. Requests for reassignment shall be kept confidential by the Clerk. A party's completed election form will not be docketed or made part of the electronic case file nor will the magistrate judge or district judge be advised of a party's consent or refusal to consent if less than all the parties consent.

ACTION REQUIRED

While the decision to consent to the jurisdiction of the assigned Magistrate Judge or to request assignment of a District Judge is entirely voluntary, the duty to respond to this Order is **mandatory**. Each party **must** indicate their intent by completing the attached **ELECTION FORM** and returning it to the Clerk's office within thirty (30) days of the date of this Order. In the case of a newly added party, such party has thirty days from the date of appearance in the case in which to return their election form.

In any event, the assigned Magistrate Judge will continue to preside over the case for all pretrial and non-dispositive matters in accord with 28 U.S.C. § 636(a) and (b).

¹ This Order is not intended to alter the Court's Local Rules.

Election Forms are NOT to be filed via ECF. They are to be communicated to the Clerk of the Court via email to consent@nyed.uscourts.gov or via United States mail to: United States District Court for the Eastern District of New York, 100 Federal Plaza, Central Islip, New York 11722.

SO ORDERED:

Dated: April 30, 2021
Brooklyn, New York

s/ MKB

MARGO K. BRODIE
Chief United States District Judge

ACTION REQUIRED

ELECTION FORM

**Indicate your election EITHER to Consent to the
Jurisdiction by assigned Magistrate Judge for all purposes OR
Random Reassignment to a District Judge for the EDNY**

[CASE CAPTION]

Consent to Jurisdiction by Assigned Magistrate Judge

Pursuant to 28 U.S.C. § 636(c)(1) the undersigned party voluntarily consents to have the assigned United States Magistrate Judge conduct any and all further proceedings in this case, including trial and entry of a final judgment, with direct review by the United States Court of Appeals for the Second Circuit if an appeal is filed.

Name of Party

Signature of Attorney or Pro Se Party

Date

Assignment to a United States District Judge

Pursuant to 28 U.S.C. § 636(c)(2) the undersigned acknowledges the availability of a United States Magistrate Judge to preside for all purposes but elects to have this case randomly assigned to a United States District Judge.

Name of Party

Signature of Attorney or Pro Se Party

Date

*Return this form within 30 days of the filing of the accompanying “Order in cases previously assigned to Judge Feuerstein.” After completing this form, parties may email it in .pdf format to consent@nyed.uscourts.gov or mail it to the United States District Court for the Eastern District of New York, 100 Federal Plaza, Central Islip, New York 11722.