

~~77.2 ORDERS BY THE CLERK~~

~~The Clerk of this Court is authorized to grant, sign, and enter the following orders without further direction by the Court, but any order so entered may be suspended, altered, or rescinded by the Court for cause shown:~~

- ~~(a) Orders on consent extending once for 14 days the time within which to plead or otherwise defend or to make any motion (except a motion for a new trial) if the time originally prescribed to plead, defend, or move has not expired.~~
- ~~(b) Orders on consent of client and former counsel for the substitution of attorneys.~~
- ~~(c) Orders on consent satisfying a judgment or an order for the payment of money, annulling bonds, and exonerating sureties.~~
- ~~(d) Any other of the orders referred to in Rule 77(c) of the Federal Rules of Civil Procedure which do not require allowance or order of the Court.~~

79.1 WITHDRAWAL OF FILES

- (a) **Procedure for Withdrawal.** Papers on file in the office of the Clerk may not be removed except pursuant to a subpoena from any federal or state court directing their production or on order of the Court.
- (b) **Receipt Required.** Whenever papers are withdrawn, the person receiving them shall leave with the Clerk a signed receipt identifying the paper taken and agreeing to return the same in the same condition as received and within the period allotted.

79.2 CUSTODY OF EXHIBITS

- (a) **General.** All exhibits, including models and diagrams, introduced in evidence upon the hearing of any cause or motion shall, after being marked for identification, remain in the Clerk's custody until after the judicial proceeding.
- (b) **Withdrawal.** After trial or as soon as possible, but within 14 days after a verdict is rendered or a judgment is entered, the offering attorney must withdraw all exhibits in the Clerk's custody and give the Clerk a receipt for the exhibits.
- (c) **Duty to Retain Exhibits.** An attorney must:
 - (i) retain exhibits withdrawn from the Clerk's custody for at least 1 year after the judgment is final and is therefore no longer subject to appellate review;
 - (ii) preserve the retained exhibits in the same condition they were in when offered into evidence;
 - (iii) if an opposing attorney requests the exhibits, make them available for examination and use at reasonable times and places; and

