



United States District Court

DISTRICT OF SOUTH DAKOTA

LR 56.1 MOTION FOR SUMMARY JUDGMENT

- A. Moving Party's Required Statement of Material Facts.** All motions for summary judgment must be accompanied by a separate, short, and concise statement of the material facts as to which the moving party contends there is no genuine issue to be tried. Each material fact must be presented in a separate numbered statement with an appropriate citation to the record in the case.
- B. Opposing Party's Required Statement of Material Facts.** A party opposing a motion for summary judgment must respond to each numbered paragraph in the moving party's statement of material facts with a separately numbered response and appropriate citations to the record. A party opposing a motion for summary judgment must identify any material facts on which there exists a genuine material issue to be tried.
- C. Use of Documentary Evidence.** A party must attach to an affidavit all relevant documentary evidence in support of or in opposition to a motion for summary judgment. The evidence should be submitted with proper highlighting or underlining as encouraged by D.S.D. Civ. LR 7.1 B.2.
- D. Effect of Omission: Sanction.** All material facts set forth in the movant's statement of material facts will be deemed to be admitted unless controverted by the opposing party's response to the moving party's statement of material facts.