

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE



**ECF TIP: DOCUMENTS EXCEEDING 5 MEGABYTES AND
PLEADINGS HAVING MULTIPLE ATTACHMENTS IN ECF**

One of the most challenging aspects of electronic filing involves submitting a pleading that is large in byte size or a pleading that has numerous exhibits or attachments. The following information should help you to successfully submit these types of electronic documents.

DOCUMENT EXCEEDING 5 MEGABYTES

The court has recently increased CM/ECF's capacity to accept a single PDF document from 3 to 5 megabytes. If you attempt to file a document in excess of 5 megabytes, you will receive an error message telling you that the document cannot be accepted by the court's server. Documents converted from Word or WordPerfect to PDF using conversion software will rarely approach the 5 megabyte per document limit. Depending on the characteristics of the document, however, scanned imaged PDF documents may well exceed this limit. If you have a document exceeding this 5 megabyte limit, you should take the following steps.

If the document is a scanned PDF, check to assure that you are using the most efficient scanner settings. For more information on scanner tips, consult the "Portable Document Format" section of our [ECF User Manual](#) or click on the "[Scanner Tips](#)" link on CM/ECF "Reference Material" section of the court's website.

Should the document still exceed 5 megabytes, the district's Supplemental Rules for ECF require that you submit the document as separate PDF documents of less than 5 megabytes each. AP 2.3(b). If a document exceeds 15 megabytes (i.e. would have to be broken into 3 separate segments of 5 megabytes), the filer is required to file the document on a compact disk rather than trying to submit it in ECF or on paper. In the case where the 15 megabyte document is an exhibit/attachment to a main document, which it will be in the vast majority of cases, the exhibits should be submitted consistent with AP 2.5(d)(i.e. file a Notice of Conventional Filing in the place where you would have filed the exhibit electronically and get the disk/CD to the court and the parties within 48 hours).

PLEADINGS HAVING MULTIPLE ATTACHMENTS

Occasionally, and usually in the context of summary judgment requests, attorneys submit a filing having numerous attachments. We have configured our system so that it should no longer time you out of a session until dormant for a 10 hour period. Thus, our system should not time you out when attempting to file a large submission. Nor is there any limit to the number of attachments you can add to one filing. You may, however, need to be aware of the aggregate or cumulative size of the submission.

Although we have a 5 megabyte per document limit, there is no definite aggregate or cumulative size limit per submission. In a recent stress test using a high speed internet connection, we were able to file a pleading with an aggregate of over 60 megabytes. When testing these large submissions the system would occasionally appear to fail and no Notice of Electronic Filing (NEF) would appear at the end of the transmission as occurs under normal use or it would take 3 to 5 minutes for the NEF to appear; nonetheless, in both situations the transaction was accepted by the system and added to the court's docket. It should be noted that while all of our test submissions were successful, some courts reported that during their testing they received a server error message and had to repeat the filing process.

Thus, we recommend you take the following steps in order to minimize the cumulative or aggregate size of each submission. First, you should convert rather than scan documents (in fact, AP 2.3(a) requires this), as scanning creates a much larger file size. Second, as mentioned previously, you should use scanner settings that minimize document size. Third, you should carefully choose the exhibits necessary to support your position, using excerpts if appropriate in your professional judgment. See 2.5(b)(authorizing submitting excepted exhibits).

Finally, when filing a document having more than 20 attachments, you should file the main document along with any accompanying memorandum of law and the first 20 exhibits or attachments using the appropriate motion event. After receiving the Notice of Electronic Filing for this first submission, continue filing the next 20 exhibits or attachments using the **Exhibit** event. Continue this process until all of your exhibits are filed. Below are step-by-step instructions explaining how you would submit pleadings having more than 20 exhibits.

PLEADINGS HAVING MORE THAN 20 ATTACHMENTS

1. File your motion with the first 20 exhibits using the appropriate motion event. Attach your remaining attachments/exhibits. Pursuant to AP 2.3(e), your first attachment should be the memorandum of law in support of the motion. After attaching the memorandum of law, you would select "Memorandum of Law" from the "Category" drop down menu and would enter nothing in the "Description" field unless needed to better describe the memorandum of law. (See *Figure 1*). Selecting the appropriate "Category" option and complete the "Description" field if necessary.

NOTICE: In accordance with Fed. R. Civ. P. 5.2, parties shall refrain from including, or shall partially redact where inclusion is necessary, personal identifiers from all filings submitted to the court, which shall include exhibits submitted thereto.

Select the pdf document and any attachments.

Main Document
 K:\DAILY\Kristie's Folder\Contents of **Attach Motion**

When adding attachments, select a document category and enter the exhibit number/letter and a short 5 word description in the description field.

Attachments	Category	Description
1. K:\DAILY\Kristie's Folder\Contents of <input type="text"/> <input type="button" value="Browse..."/>	Memorandum of Law	<input type="text"/> <input type="button" value="Remove"/>
2. <input type="text"/> <input type="button" value="Browse..."/>	<input type="text"/>	<input type="text"/>

Attach Memorandum of Law

Figure 1

- After attaching the memorandum of law, you would need to attach the exhibits/attachments you are submitting in support of your motion. Note that each exhibit must be filed as a separate PDF attachment, shall be individually numbered/lettered, and must have a short (5 words or less) description in the “Description” field. After attaching the first exhibit/attachment, select the appropriate option from the “Category” drop down list, which is usually the “Exhibit” option, and begin numbering and naming your exhibits/attachments in the “Description” field. As new attachments are added, a blank field will appear to enter your next attachment. Continue adding your first 20 exhibits/attachments in the same manner.

Note: For more details on the court’s specific rules for naming and adding memoranda of law, exhibits and affidavits, please see the court’s instruction sheet on the [Proper Method of Attaching Exhibits to Pleadings in ECF](#), which is available on the CM/ECF “Reference Material” section of the court’s website.

- After adding your motion, any accompanying memorandum of law and the first 20 exhibits/attachments, you will submit the documents and they will be filed with the court. The docket entry will look similar to the following. (See *Figure 2*).

MOTION to Dismiss filed by Tom Brady. Follow up on Objection on 3/5/2008.
 (Attachments: # [1](#) Memorandum of Law, # [2](#) Exhibit (Affidavit) 1-John Johnson, # [3](#) Exhibit (Affidavit) 2-Tobey Johnson, # [4](#) Exhibit (Affidavit) 3-Sandy Johnson, # [5](#) Exhibit (Affidavit) 4-John Smith, # [6](#) Exhibit 5-Photo of Field Top View, # [7](#) Exhibit 6-Photo of Field Bleacher View, # [8](#) Exhibit 7-Deposition of Carl Jones, # [9](#) Exhibit 8-Deposition of Carl Jones, # [10](#) Exhibit 9-Building Photo, # [11](#) Exhibit 10-Building Photo #2, # [12](#) Exhibit 11-Letter to Catherine Jones, # [13](#) Exhibit 12-Letter to Sam Smith, # [14](#) Exhibit 13-Letter to Brady, # [15](#) Exhibit 14-Contract dated 1/1/2005, # [16](#) Exhibit 15-Contract dated 1/1/2006, # [17](#) Exhibit 16-Contract dated 1/1/2007, # [18](#) Exhibit 17-Draft agreement 1/1/2005, # [19](#) Exhibit 18-Draft Agreement 1/1/2006, # [20](#) Exhibit 19-Draft Agreement 1/1/2006, # [21](#) Exhibit 20-Draft Agreement 1/1/2007. (Adams, Gail) (Entered: 02/21/2008)

Figure 2

4. After receiving the Notice of Electronic Filing for this first submission, continue filing the next 20 exhibits or attachments using the **Exhibit** event, which can be located by selecting **Other Documents** under the heading “Other Filings.” (Figure 3).
5. After entering the case number, click [Next]. On the document selection screen, browse out to attached the next sequential exhibit/attachment as the main document. In our example, you would attach exhibit 21 as your main document. Remember which exhibit is attached as the main document because as seen in Figure 6 you will have the opportunity to describe it on a later screen. NOTE: Remember that at this point the motion, memorandum of law and the first 20 exhibits/attachments have already been filed with the court—you should not file them again as part of this submission.
6. Continue attaching the remaining exhibits/attachments (but again do not exceed 20 per submission), describing and numbering each as previously discussed. (Figure 3). As new attachments are added, a blank field will appear to enter your next attachment.

NOTICE: In accordance with Fed. R. Civ. P. 5.2, parties shall refrain from including, or shall partially redact where inclusion is necessary, personal identifiers from all filings submitted to the court, which shall include exhibits submitted thereto.

Select the pdf document and any attachments.

Main Document
 K:\DAILY\Kristie's Folder\Contents of Attach Exhibit 21 as Main Document

When adding attachments, select a document category and enter the exhibit number/letter and a short 5 word description in the description field.

Attachments	Category	Description
1. K:\DAILY\Kristie's Folder\Contents of <input type="text"/> <input type="button" value="Browse..."/>	Exhibit	22-Phone Bill dated 1/ <input type="button" value="Remove"/>
2. K:\DAILY\Kristie's Folder\Contents of <input type="text"/> <input type="button" value="Browse..."/>	Exhibit	23-Phone Bill dated 2/ <input type="button" value="Remove"/>
3. K:\DAILY\Kristie's Folder\Contents of <input type="text"/> <input type="button" value="Browse..."/>	Exhibit	24-Training Schedule <input type="button" value="Remove"/>
4. K:\DAILY\Kristie's Folder\Contents of <input type="text"/> <input type="button" value="Browse..."/>	Exhibit	25-Training Schedule I <input type="button" value="Remove"/>
5. K:\DAILY\Kristie's Folder\Contents of <input type="text"/> <input type="button" value="Browse..."/>	Exhibit	26-Parking Photo <input type="button" value="Remove"/>
6. <input type="text"/> <input type="button" value="Browse..."/>	<input type="text"/>	<input type="text"/> <input type="button" value="Remove"/>

Attach remaining Exhibits as Attachments

Figure 3

7. After attaching your next 20 or fewer remaining exhibits, the system displays a screen to allow you to link this entry to the previously filed motion. Put a check in the box and select [Next]. (See Figure 4).

Should the document you are filing link to another document in this case?

Filed to

Documents to

Figure 4

8. On the next screen a list of docket entries will display for you to select the document you are linking to. Put a check by the previously filed motion and click [Next]. (See *Figure 5*).

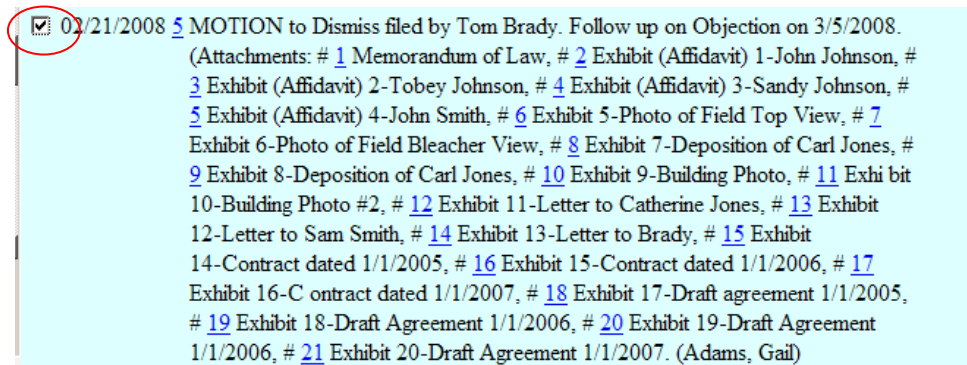


Figure 5

9. The next screen will display the docket text for this filing and contains a free form text field. In the free form text box next to the right of the word “Exhibit,” type the exhibit/attachment number and description for the exhibit that was attached as the main document earlier in the filing process at *Figure 3* and click [Next]. (see *Figure 6*)

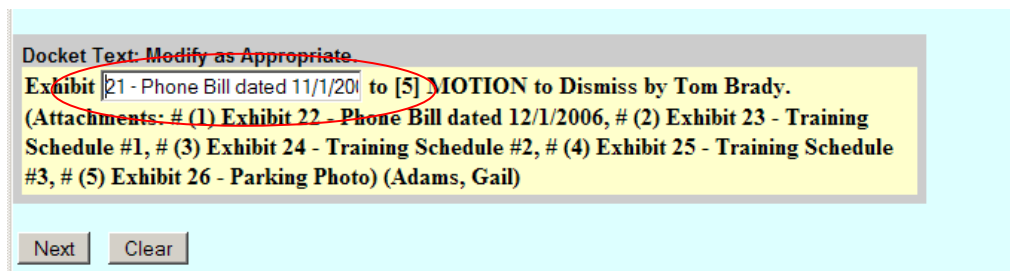


Figure 6

NOTE: If the second filing contains 20 exhibits and you have more to file, follow steps 4-9 above until all of the attachments are filed with the court.

After the documents are submitted to the court, the docket sheet for the case will appear as shown in *Figure 7*.

02/21/2008	5	MOTION to Dismiss filed by Tom Brady. Follow up on Objection on 3/5/2008. (Attachments: # 1 Memorandum of Law, # 2 Exhibit (Affidavit) 1-John Johnson, # 3 Exhibit (Affidavit) 2-Tobey Johnson, # 4 Exhibit (Affidavit) 3-Sandy Johnson, # 5 Exhibit (Affidavit) 4-John Smith, # 6 Exhibit 5-Photo of Field Top View, # 7 Exhibit 6-Photo of Field Bleacher View, # 8 Exhibit 7-Deposition of Carl Jones, # 9 Exhibit 8-Deposition of Carl Jones, # 10 Exhibit 9-Building Photo, # 11 Exhibit 10-Building Photo #2, # 12 Exhibit 11-Letter to Catherine Jones, # 13 Exhibit 12-Letter to Sam Smith, # 14 Exhibit 13-Letter to Brady, # 15 Exhibit 14-Contract dated 1/1/2005, # 16 Exhibit 15-Contract dated 1/1/2006, # 17 Exhibit 16-Contract dated 1/1/2007, # 18 Exhibit 17-Draft agreement 1/1/2005, # 19 Exhibit 18-Draft Agreement 1/1/2006, # 20 Exhibit 19-Draft Agreement 1/1/2006, # 21 Exhibit 20-Draft Agreement 1/1/2007. (Adams, Gail) (Entered: 02/21/2008)
02/21/2008	6	Exhibit 21 - <i>Phone Bill dated 11/1/2006</i> to 5 MOTION to Dismiss by Tom Brady. (Attachments: # 1 Exhibit 22-Phone Bill dated 12/1/2006, # 2 Exhibit 23-Training Schedule #1, # 3 Exhibit 24-Training Schedule #2, # 4 Exhibit 25-Training Schedule #3, # 5 Exhibit 26-Parking Photo)(Adams, Gail) (Entered: 02/21/2008)

Figure 7

If you attempt to make a submission having multiple attachments and are uncertain whether it was accepted by the CM/ECF system, please contact the ECF Help Desk (1-800-776-0320, Option 8) or use PACER to review the docket sheet and confirm the transmission was accepted and posted to court's docket. If successful the filer should also receive an electronic notice of the filing in their email box within 5-15 minutes of submitting the pleading through CM/ECF.