

1 particularly Federal Rules of Civil Procedure 16, 26, and the
2 Local Rules of the Central District of California.¹

3 It is further ordered:

4 1. **Service of the Complaint.** The Plaintiff(s) shall
5 promptly serve the Complaint in accordance with Fed.
6 R. Civ. P. 4 and file the proofs of service pursuant
7 to Local Rule.

8 2. **Removed Actions.** Any answers filed in state court
9 must be refiled in this Court as a supplement to the petition.
10 Any pending motions must be re-noticed in accordance with
11 Local Rule.

12 3. **Presence of Lead Counsel.** The attorney attending
13 any proceeding before this Court, including all status and
14 settlement conferences, must be the lead trial counsel.

15 4. **Discovery.** All discovery matters have been referred
16 to a United States Magistrate Judge to hear all discovery
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18 ¹Copies of the Local Rules are available on our website at "<http://www.cacd.uscourts.gov>" or they
19 may be purchased from one of the following:

20 Los Angeles Daily Journal
21 915 East 1st Street
22 Los Angeles, California 90012

23 West Group
24 610 Opperman Drive
25 P. O. Box 64526
26 St. Paul, Minnesota 55164-0526

27 Metropolitan News
28 210 South Spring Steet
Los Angeles, California 90012

1 disputes. (The Magistrate Judge's initials follow the Judge's
2 initials next to the case number.) All documents must include
3 the words "DISCOVERY MATTER" in the caption to ensure proper
4 routing. Counsel are directed to contact the Magistrate
5 Judge's Courtroom Deputy Clerk to schedule matters for
6 hearing. Please do not deliver courtesy copies of these
7 papers to this Court.

8 The decision of the Magistrate Judge shall be final,
9 subject to modification by the District court only where it
10 has been shown that the Magistrate Judge's order is clearly
11 erroneous or contrary to law.

12 Any party may file and serve a motion for review and
13 reconsideration before this Court. The moving party must file
14 and serve the motion within ten (10) days of service of a
15 written ruling or within ten (10) days of an oral ruling that
16 the Magistrate Judge states will not be followed by a written
17 ruling. The motion must specify which portions of the text
18 are clearly erroneous or contrary to law, and the claim must
19 be supported by points and authorities. Counsel shall deliver
20 a conformed copy of the moving papers and responses to the
21 Magistrate Judge's clerk at the time of filing.

22 5. **Motions**. All hearing dates must be approved by the
23 Courtroom Deputy Clerk. Motions shall be filed and set for
24 hearing in accordance with Local Rule, except that this Court
25 hears motions on Mondays commencing at 10:00 a.m. If Monday
26 is a national holiday, this Court will hear motions on the
27 succeeding Tuesday. Any opposition or reply papers due on a
28 holiday are due the **preceding** Friday, not the following

1 Tuesday and must be hand-served or faxed to opposing counsel
2 on that Friday. **Memoranda of Points and Authorities in**
3 **support of or in opposition to motions shall not exceed 25**
4 **pages. Replies shall not exceed 25 pages.** Only in rare
5 instances and for good cause shown will the Court agree to
6 extend these page limitations. Pursuant to Local Rule,
7 typeface shall not be smaller than pica size, **with no more**
8 **than ten (10) typed characters per inch.** The Court recommends
9 the "courier" font (12 point).

10 6. **Proposed Orders.** Each party filing or opposing a
11 motion or seeking the determination of any matter shall serve
12 and lodge a proposed order setting forth the relief or action
13 sought and a brief statement of the rationale for the decision
14 with appropriate citations.

15 7. **Courtesy Copies.** Counsel shall deliver a conformed
16 (file stamped) courtesy copy of all reply papers in motion
17 matters to the courtesy box located in the Clerk's Office of
18 the Roybal Federal Building, 255 East Temple Street, Los
19 Angeles, California 90012.

20 8. **Telephonic Hearings.** The Court generally does not
21 permit appearances or arguments by way of telephone conference
22 calls. However, there are exceptions to this requirement
23 providing that counsel notifies the courtroom deputy clerk in
24 advance of the hearing and arrangements are made and confirmed
25 prior to the date set for hearing with the courtroom deputy
26 clerk and the consent of the Court.

27 9. **Ex Parte Applications.** The Court considers ex parte
28 applications on the papers and does not usually set these

1 matters for hearing. Ex parte applications are solely for
2 extraordinary relief and should be used with discretion. See
3 Mission Power Engineering Co. v. Continental Casualty Co., 883
4 F.Supp. 488 (C.D. Cal. 1995).

5 Counsel's attention is directed to Local Rule. The
6 moving party shall serve the opposing party by facsimile
7 transmission and shall notify the opposition that opposing
8 papers must be filed not later than twenty-four hours
9 following such facsimile service. If counsel does not intend
10 to oppose an ex parte application, he or she must inform the
11 Courtroom Deputy Clerk at (213) 894-3538. Counsel shall
12 deliver a conformed courtesy copy of moving or opposition
13 papers to the Court's courtesy box as previously set forth.
14 The Courtroom Deputy Clerk will notify counsel of the Court's
15 ruling or a hearing date and time should the Court determine
16 that a hearing is necessary.

17 10. **Continuances**. Counsel requesting a continuance must
18 lodge a proposed stipulation and order including a detailed
19 declaration of the grounds for the requested continuance or
20 extension of time. See Local Rule. The Court grants
21 continuances only upon a showing of good cause, focusing on
22 the diligence of the party seeking the continuance and any
23 prejudice that may result if the continuance is denied.
24 Failure to comply with the Local Rules and this Order will
25 result in rejection of the request without further notice to
26 the parties. The Court sets firm trial dates and will not
27 change them without a showing of good cause. Proposed
28 stipulations extending scheduling dates do not become

1 effective unless and until this Court so orders. Counsel
2 wishing to know whether a stipulation has been signed shall
3 comply with the applicable Local Rule.

4 11. **Communications with Chambers.** Counsel shall not
5 attempt to contact the Court or its staff by telephone or by
6 any other ex parte means, although counsel may contact the
7 Courtroom Deputy Clerk with appropriate inquiries. Counsel
8 should list their facsimile transmission numbers along with
9 their telephone numbers on all papers to facilitate
10 communication with the Courtroom Deputy.

11 12. **Order Setting Scheduling Conference.** Pursuant to
12 Federal Rule of Civil Procedure 16(b), the Court will issue an
13 Order setting a Scheduling Conference as required by Federal
14 Rule of Civil Procedure 26 and the Local Rules of this Court.
15 Strict compliance with Federal Rules of Civil Procedure 16 and
16 26 is required.

17 13. **Notice of this Order.** Counsel for plaintiff or
18 plaintiff (if appearing on his or her own behalf) shall
19 immediately serve this Order on all parties, including any new
20 parties to the action. If this case came to the Court by a
21 Petition for Removal, the removing defendant(s) shall serve
22 this Order on all other parties.

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DATED: _____

DICKRAN TEVRIZIAN
United States District Judge

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I hereby certify that this document was served by first class mail,
postage prepaid, on plaintiff/defendant's attorney at their respective most
recent address of record in this action on this date.

DATED

COLLIS K. CULBERTSON