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SEND

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

| | | |
|-------------|---|---------------------------------------|
| |) | NO. CV |
| |) | |
| Plaintiffs, |) | |
| |) | STANDING ORDER REGARDING NEWLY |
| v |) | ASSIGNED CASES |
| |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

READ THIS ORDER CAREFULLY. IT CONTROLS THIS CASE.

This action has been assigned to the calendar of Judge R. Gary Klausner. The responsibility for the progress of litigation in the Federal Courts falls not only upon the attorneys in the action, but upon the Court as well. "To secure the just, speedy, and inexpensive determination of every action," Federal Rule of Civil Procedure 1, all counsel are hereby ordered to familiarize themselves with the Federal Rules of Civil Procedure, particularly Federal Rules of Civil Procedure 16, 26, the Local Rules of the

1 Central District of California, this Court’s Order for Jury Trial, and this Court’s Order for Court Trial.¹

2 **UNLESS OTHERWISE ORDERED BY THE COURT, THE FOLLOWING RULES SHALL**

3 **APPLY:**

4 **1. Service of the Complaint.** The Plaintiff(s) shall promptly serve the Complaint in accordance
5 with Fed. R. Civ. P. 4 and file the proofs of service pursuant to Local Rule. Any Defendant(s) not timely
6 served shall be dismissed from the action without prejudice. Any “DOE” or fictitiously-named
7 Defendant(s) who is not identified and served within 120 days after the case is filed shall be dismissed
8 pursuant to Federal Rule of Civil Procedure 4(m).

9 **2. Removed Actions.** Any answers filed in state court must be refiled in this Court as a
10 supplement to the petition. Any pending motions must be re-noticed in accordance with Local Rule. If
11 an action is removed to this Court that contains a form pleading, i.e., a pleading in which boxes are
12 checked, the party or parties utilizing the form pleading must file an appropriate pleading with this Court
13 within thirty (30) days of receipt of the Notice of Removal. The appropriate pleading referred to must
14 comply with the requirements of Federal Rules of Civil Procedure, Rules 7, 7.1, 8, 9, 10 and 11.

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

17 **4. Discovery.** All discovery matters have been referred to a United States Magistrate Judge to
18 hear all discovery disputes. (The Magistrate Judge's initials follow the Judge's initials next to the case
19 number.) All documents must include the words “DISCOVERY MATTER” in the caption to ensure
20 proper routing. Counsel are directed to contact the Magistrate Judge's Courtroom Deputy Clerk to
21 schedule matters for hearing. Please do not deliver courtesy copies of these papers to this Court.

22 The decision of the Magistrate Judge shall be final, subject to modification by the District court

23 _____
24 ¹Copies of the Local Rules are available on our website at “<http://www.cacd.uscourts.gov>” or they may be
25 purchased from one of the following:

26 Los Angeles Daily Journal
915 East 1st Street
Los Angeles, CA 90012

West Group
610 Opperman Drive
P.O. Box 64526
St. Paul, MN 55164-0526

Metropolitan News
210 South Spring Street
Los Angeles, CA 90012

1 only where it has been shown that the Magistrate Judge's order is clearly erroneous or contrary to law.

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

8 **5. Motions.** Motions shall be filed and set for hearing in accordance with Local Rule, except
9 that this Court hears motions on Mondays commencing at 9:00 a.m. If Monday is a national holiday, this
10 Court will hear motions on the succeeding Tuesday. If the date the motion was noticed for hearing is not
11 available, the Court will issue a minute order continuing the date. Any opposition or reply papers due on
12 a holiday are due the **preceding** Friday, not the following Tuesday and must be hand-served or faxed to
13 opposing counsel on that Friday. **Memoranda of Points and Authorities in support of or in**
14 **opposition to motions shall not exceed 20 pages. Replies shall not exceed 10 pages.** Only in rare
15 instances and for good cause shown will the Court agree to extend these page limitations. Pursuant to
16 Local Rule, either a proportionally spaced or monospaced face may be used. A proportionally spaced
17 face must be 14-point or larger, or as the Court may otherwise order. A monospaced face may not
18 contain more than 10½ characters per inch.

19 Without prior permission from the Court, no party may file more than one motion pursuant to
20 Fed.R.Civ. P. 56 regardless of whether such motion is denominated as a motion for summary judgment or
21 summary adjudication.

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

25 **7. Courtesy Copies.** Counsel shall deliver a conformed (file stamped) courtesy copy of all
26 oppositions and replies to motions, including supporting documents to such filings. Courtesy copies
27

1 shall be delivered to the Judge Klausner's courtesy box, located on the first floor, (outside of the Clerk's
2 office) Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Courtesy
3 copies of any other documents are not needed, unless specifically requested.

4 **8. Telephonic Hearings.** The Court does not permit appearances or arguments by way of
5 telephone conference calls.

6 **9. Ex Parte Applications.** The Court considers ex parte applications on the papers and does not
7 usually set these matters for hearing. Ex parte applications are solely for extraordinary relief and should
8 be used with discretion. See Mission Power Engineering Co. v. Continental Casualty Co., 883 F.Supp.
9 488 (C.D. Cal. 1995).

10 Counsel's attention is directed to Local Rule. The moving party shall serve the opposing party by
11 facsimile transmission and shall notify the opposition that opposing papers must be filed not later than
12 twenty-four hours following such facsimile service. If counsel does not intend to oppose an ex parte
13 application, he or she must inform the Courtroom Deputy Clerk at (213) 894-2649. Counsel shall deliver
14 a conformed courtesy copy of moving or opposition papers as previously set forth. The Courtroom
15 Deputy Clerk will notify counsel of the Court's ruling or a hearing date and time should the Court
16 determine that a hearing is necessary.

17 **10. Continuances.** This Court has a strong interest in keeping scheduled dates certain. Changes
18 in dates are disfavored. Therefore, a stipulation to continue the date of any matter before this Court must
19 be supported by a sufficient basis that demonstrates good cause why the change in the date is essential.
20 Without such compelling factual support, stipulations continuing dates set by this Court will not be
21 approved. Counsel requesting a continuance must lodge a proposed stipulation and order including a
22 detailed declaration of the grounds for the requested continuance or extension of time. See Local Rule.
23 Failure to comply with the Local Rules and this Order will result in rejection of the request without
24 further notice to the parties. Proposed stipulations extending scheduling dates do not become effective
25 unless and until this Court so orders. Counsel wishing to know whether a stipulation has been signed
26 shall comply with the applicable Local Rule.

1 **11. Communications with Chambers.** Counsel shall not attempt to contact the Court or its
2 staff by telephone or by any other ex parte means, although counsel may contact the Courtroom Deputy
3 Clerk with appropriate inquiries. Counsel shall not contact the Courtroom Deputy regarding status of ex
4 parte application/ruling or stipulation/ruling. Counsel shall provide an extra copy of the document, along
5 with a self-addressed, stamped envelope. Counsel should list their facsimile transmission numbers along
6 with their telephone numbers on all papers to facilitate communication with the Courtroom Deputy.

7 **12. Order Setting Scheduling Conference.** Pursuant to Federal Rule of Civil Procedure 16(b),
8 the Court will issue an Order setting a Scheduling Conference as required by Federal Rule of Civil
9 Procedure 26 and the Local Rules of this Court. Strict compliance with Federal Rules of Civil Procedure
10 16 and 26 is required.

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

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17 DATED:

R. GARY KLAUSNER
United States District Judge