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

Plaintiff(s)) CASE NO.
v.) **STANDING ORDER REGARDING**
Defendant(s)) **NEWLY ASSIGNED CASES**

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 Central District of California (available on the Court’s website at www.cacd.uscourts.gov), this Court’s Order for Jury Trial, and this Court’s Order for Court Trial.

1 “DISCOVERY MATTER” in the caption to ensure proper routing. Counsel are
2 directed to contact the Magistrate Judge's Courtroom Deputy Clerk to schedule matters
3 for hearing. Please do not deliver courtesy copies of these papers to this Court.

4 The decision of the Magistrate Judge shall be final, subject to modification by
5 the District court only where it has been shown that the Magistrate Judge's order is
6 clearly erroneous or contrary to law. Any party may file and serve a motion for review
7 and reconsideration before this Court. The moving party must file and serve the
8 motion within ten (10) days of service of a written ruling or within ten (10) days of an
9 oral ruling that the Magistrate Judge states will not be followed by a written ruling.
10 The motion must specify which portions of the text are clearly erroneous or contrary
11 to law, and the claim must be supported by points and authorities. Counsel shall
12 deliver a conformed copy of the moving papers and responses to the Magistrate Judge's
13 clerk at the time of filing.

14 **6. Motions.** Motions shall be filed and set for hearing in accordance with Local
15 Rule 6-1, except that this Court hears motions on Mondays commencing at 9:00 a.m.
16 If Monday is a national holiday, this Court will hear motions on the succeeding
17 Tuesday. If the date the motion was noticed for hearing is not available, the Court will
18 issue a minute order resetting the date. Any opposition or reply papers due on a
19 holiday are due the **preceding** Friday, not the following Tuesday. **Memoranda of**
20 **Points and Authorities in support of or in opposition to motions shall not exceed**
21 **20 pages. Replies shall not exceed 10 pages.** Only in rare instances and for good
22 cause shown will the Court agree to extend these page limitations. Pursuant to Local
23 Rule 11-3.1.1, either a proportionally spaced or monospaced font may be used. A
24 proportionally spaced font must be 14-point or larger, or as the Court may otherwise
25 order. A monospaced font may not contain more than 10½ characters per inch.

26 **Motions, Oppositions, and Replies shall be electronically filed only. With**
27 **the exception of physical exhibits, all documents supporting the motion,**

1 **opposition, or reply (e.g., declarations, exhibits, statements of undisputed or**
2 **disputed facts, judicial notices) shall also be electronically filed only, and filed as**
3 **attachments to the corresponding brief. Furthermore, each supporting document**
4 **shall be filed as an individual attachment, such that each document can be**
5 **accessed by its own individual link. Each attachment shall be designated by the**
6 **title of the document.**

7 *Example (Docket Entry for Defendant’s Notice of Motion and Motion for Summary*
8 *Judgment):*

9 **Document Selection Menu**

10 Select the document you wish to view.

11 **Document Number:** 100 23 pages 150 kb

12
13 **Attachment Description**

14 <u>1</u>	Separate Statement of Undisputed Facts	10 pages	50 kb
15 <u>2</u>	Declaration of Bob Smith	4 pages	30 kb
16 <u>3</u>	Exhibit A - Purchase Agreement	5 pages	1.2 mb
17 <u>4</u>	Exhibit B - Jones Deposition	10 pages	0.9 mb
18 <u>5</u>	Exhibit C - Thomas Declaration	3 pages	23 kb
19 <u>6</u>	Proposed Order	2 pages	20 kb

20
21 **Within the parties’ briefs, any reference to information or evidence contained in**
22 **the supporting documents shall contain the documents’ location in the citation.**

23 *Example: Plaintiff and Defendant executed the Purchase Agreement on January 2,*
24 *2010. (Purchase Agreement, Smith Decl., Ex. A at p.5.)*

25 Motions for Summary Judgment: Without prior permission from the Court, no
26 party may file more than one motion pursuant to Fed.R.Civ. P. 56 regardless of
27 whether such motion is denominated as a motion for summary judgment or summary

1 adjudication.

2 Motions to Dismiss pursuant to Fed. R. Civ. P. 12(b)(6): Where a defendant has
3 filed a Rule 12(b)(6) motion, and in lieu of filing an opposition, if the plaintiff intends
4 to file an amended complaint, the plaintiff shall file either the Amended Complaint or
5 a Notice of Intent to File Amended Complaint prior to the date on which the other than
6 opposition is due. Failure to do so may result in sanctions.

7 **7. Motion for Class Certification.** For any action purporting to commence
8 a class action other than an action subject to the Private Securities Litigation Reform
9 Act of 1995, the plaintiffs must file a Motion for Class Certification no later than 90
10 days from the date the complaint was served, unless showing of good cause has been
11 made.

12 **8. Proposed Orders.** Each party filing or opposing a motion or seeking the
13 determination of any matter (*e.g.*, ex parte applications, stipulations, and general
14 requests) shall electronically file and lodge a proposed order setting forth the relief or
15 action sought and a brief statement of the rationale for the decision with appropriate
16 citations.

17 **9. Preparation of Documents/PDF.** Counsel shall adhere to Local Rule 5-4.3.1
18 with respect to the conversion of all documents to a PDF so that when a document is
19 electronically filed, it is in the proper size and format that is **PDF searchable**.

20 **10. Telephonic Hearings.** The Court does not permit appearances or arguments
21 by way of telephone conference calls.

22
23 **11. Ex Parte Applications.** The Court considers ex parte applications on the
24 papers and does not usually set these matters for hearing. If a hearing is necessary, the
25 parties will be notified. Ex parte applications are solely for extraordinary relief and
26 should be used with discretion. Sanctions may be imposed for misuse of ex parte
27 applications. See Mission Power Engineering Co. v. Continental Casualty Co., 883

1 F.Supp. 488 (C.D. Cal. 1995).

2 Counsel's attention is directed to the Local Rules. The moving party shall serve
3 the opposing party and shall notify the opposition that opposing papers must be filed
4 not later than 3:00 p.m. on the first business day following service. If counsel does not
5 intend to oppose an ex parte application, he or she must inform the Courtroom Deputy
6 Clerk at (213) 894-2649.

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

20 **13. Communications with Chambers.** Counsel shall not attempt to contact
21 the Court or its staff by telephone or by any other ex parte means. Counsel may
22 contact the Courtroom Deputy Clerk with appropriate inquiries only. Counsel shall not
23 contact the Courtroom Deputy regarding status of rulings on motions, ex parte
24 applications or stipulations. Counsel shall not contact the Court to ask if a matter is
25 going forward. Notice will be given if the matter is taken off calendar.

26 **14. Order Setting Scheduling Conference.** Pursuant to Federal Rule of Civil
27 Procedure 16(b), the Court will issue an Order setting a Scheduling Conference as

1 required by Federal Rule of Civil Procedure 26 and the Local Rules of this Court.
2 Strict compliance with Federal Rules of Civil Procedure 16 and 26 is required.

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

7 **16. Courtesy Copies.** Chambers copies shall be delivered to and placed in the
8 Judge's courtesy box, located outside of the Clerk's office, on the 12th floor of the
9 Roybal Federal Building, 255 East Temple Street, Los Angeles, by 5:00 p.m. on the
10 first court date after the filing date. Courtesy copies to be provided as follows:

11 **Civil matters:**

12 Motions and related documents (oppositions, replies, exhibits); *Ex parte* applications
13 and related documents (oppositions and exhibits); Joint Rule 26(f) reports; and All
14 pretrial documents. All exhibits, declarations, etc. to chambers copies must be tabbed,
15 where applicable. Blue-backs and hole punches are not required. Chambers copies of
16 under seal documents shall all be placed together in a manila envelope labeled
17 "UNDER SEAL."

18 **Criminal matters:**

19 Motions and related documents and exhibits; Plea agreement(s); Sentencing
20 memoranda; and Objections to the presentence investigation report. All exhibits,
21 declarations, etc. to chambers copies must be tabbed, where applicable. Blue-backs and
22 hole punches are not required. Chambers copies of under seal documents shall all be
23 placed together in a manila envelope labeled "UNDER SEAL."

24 **17. Applications to File Documents Under Seal:** For detailed instructions and
25 information on the procedures for filing documents under seal, please refer to Local
26 Rule 79-5 *Confidential Court Records – Under Seal*. With regard to Under-seal
27 Documents in Non-sealed Civil Cases (L.R. 79-5.2.2), the filing party shall not provide

1 a chambers or courtesy copy of the Application or any associated documents. Please
2 bear in mind that all applications must (1) indicate which portions of the documents
3 to be filed under seal are confidential; and (2) provide reasons(s) as to why the parties'
4 interest to file the document(s) under seal outweighs the public's right to access. If a
5 party submits an application to file under seal pursuant to a protective order only (i.e.,
6 no other reason is given), **the Court will automatically deny the application** if the
7 party designating the material as confidential does not file a declaration pursuant to
8 L.R. 79-5.2.2(b)(i). This declaration shall be entitled: "DESIGNATING PARTY'S
9 DECLARATION IN SUPPORT OF APPLICATION TO FILE UNDER SEAL
10 PURSUANT TO PROTECTIVE ORDER".

11 DATED:



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13
14 R. GARY KLAUSNER
United States District Judge

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16 Jan. 2020