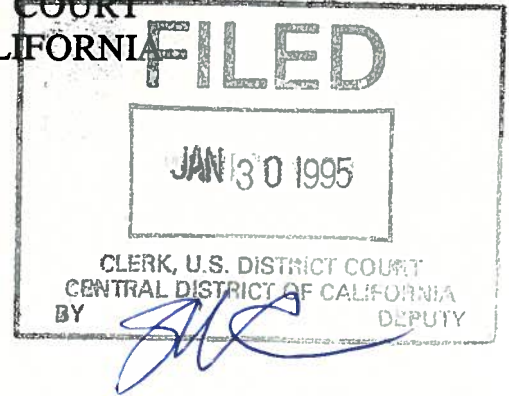


UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA



IN THE MATTER OF )  
 )  
METHOD OF ALLOCATING )  
CASES AMONG THE DIVISIONS )  
OF THE CENTRAL DISTRICT )  
COURT OF CALIFORNIA )

GENERAL ORDER NO. 349-A

WHEREAS, in order to bring about an equal distribution of civil and criminal cases, the Court will periodically review and modify the method of allocating cases among the Divisions, and

WHEREAS, it now appears necessary to modify the civil and criminal case assignment rules to keep the caseload per judge in the Southern and Eastern Divisions in relative proximity to the caseloads of judges in the Western Division of the Court,

IT IS HEREBY ORDERED that General Order No. 349 be amended as follows:

"1. Assignment of Civil Cases to the Southern Division

A. (i) Except as provided in paragraph (B), a civil case shall be assigned to the Southern Division if two of the following three venue components as described below are within the Southern Division:

(a) the majority of all plaintiffs reside in the Southern Division or in a place outside the remainder of the Central District of California with an equal number deemed to be a Southern Division majority;

(b) the majority of all named defendants reside in the Southern Division or in a place outside the remainder of the Central District of California with an equal number deemed to be a Southern Division majority;

(c) the majority of all claims arose in the Southern Division or in a place outside the remainder of the Central District of California with an equal number deemed to be a Southern Division majority.

(ii) Except as provided in paragraph B., a civil case in which the United States or any agency thereof is a defendant, and in which the majority of all plaintiffs reside in the Southern Division shall be assigned to the Southern Division. In addition, a civil case in which the United States or any agency thereof is a plaintiff, and in which the majority of all defendants reside in the Southern Division shall be assigned to the Southern Division.

(iii) With the exception of those cases assigned to the Eastern Division pursuant to paragraph 2, all other civil cases shall be assigned to the Western Division.

B. (i) In order to balance the number of civil cases assigned to the judicial officers of the Western, Southern and Eastern Divisions, there shall be determined a maximum number of civil cases allowed for assignment to the Southern Division for a given period. This predetermined number shall be adjusted as needed.

(ii) Once the predetermined number of civil cases has been assigned to the Southern Division for the given period, all additional civil cases filed during that period shall be assigned to the Western Division.

(iii) If the actual number of civil cases assigned to the Southern Division for the given period is less than the predetermined number of cases allowed for assignment, the difference shall be added to the next period's allowance of Southern Division civil cases.

2. Assignment of Civil Cases to the Eastern Division

A. (i) Except as provided in paragraph B, a civil case shall be assigned to the Eastern Division if:

(a) each plaintiff resides in the Eastern Division or in a place outside the remainder of the Central District of California, and

(b) each named defendant resides in the Eastern Division or in a place outside the remainder of the Central District of California, and

(c) all claims arose in the Eastern Division or in a place outside the remainder of the Central District of California.

(ii) Except as provided in paragraph B., a civil case in which the United States or any agency thereof is a defendant, and in which all plaintiffs reside in Eastern Division shall be assigned to the Eastern Division. In addition, a civil case in which the United States or any agency thereof is a plaintiff, and in which all defendants reside in the Eastern Division shall be assigned to the Eastern Division.

(iii) With the exception of those cases assigned to the Southern Division pursuant to paragraph 1, all other civil cases shall be assigned to the Western Division.

B. (i) In order to balance the number of civil cases assigned to the judicial officers of the Western, Southern and Eastern Divisions, there shall be determined a maximum number of civil cases allowed for assignment to the Eastern Division for a given period. This predetermined number shall be adjusted as needed.

(ii) Once the predetermined number of civil cases has been assigned to the Eastern Division for the given period, all additional civil cases filed during

that period shall be assigned to the Western Division.

(iii) If the actual number of civil cases assigned to the Eastern Division for the given period is less than the predetermined number of cases allowed for assignment, the difference shall be added to the next period's allowance of Eastern Division civil cases.

3. Assignment of Criminal Cases to the Southern Division

A. A criminal indictment or information may be assigned to the Southern Division if at least one of the crimes charged, or any part thereof, is alleged to have been committed within the Southern Division.

B. (i) In order to balance the number of criminal cases assigned to the judicial officers of the Western, Southern and Eastern Divisions, there shall be determined a maximum number of criminal cases allowed for assignment to the Southern Division for a given period. This predetermined number shall be adjusted as needed.

(ii) Once the predetermined number of criminal cases has been assigned to the Southern Division for the given period, all additional criminal cases filed during that period shall be assigned to the Western Division.

(iii) If the actual number of criminal cases assigned to the Southern Division for the given period is less than the predetermined number of cases allowed for assignment, the difference shall be added to the next period's allowance of Southern Division criminal cases.

C. All guilty pleas pursuant to Federal Rule 20 for arrests within the Southern Division shall be assigned to the Southern Division.

D. For any transfer of a case to or from any Division that requires a change of the individual attorney of record as approved by the transferor judge,

there shall be a new minimum 30-day period for trial preparation which shall run from the day of the order of transfer, unless waived by the parties.

4. Assignment of Criminal Cases to the Eastern Division

Upon determination by the Chief Judge, the United States District Judge assigned to the Eastern Division may receive Eastern Division criminal cases prior to such time he or she is permanently located in the Eastern Division. The assignment of criminal cases shall be assigned to the Eastern Division as follows:

A. A criminal indictment or information may be assigned to the Eastern Division if all of the crimes charged are alleged to have been committed within the Eastern Division.

B. (i) In order to balance the number of criminal cases assigned to the judicial officers of the Western, Southern and Eastern Divisions, there shall be determined a maximum number of criminal cases allowed for assignment to the Eastern Division for a given period. This predetermined number shall be adjusted as needed.

(ii) Once the predetermined number of criminal cases has been assigned to the Eastern Division for the given period, all additional criminal cases filed during that period shall be assigned to the Western Division.

(iii) If the actual number of criminal cases assigned to the Eastern Division for the given period is less than the predetermined number of cases allowed for assignment, the difference shall be added to the next period's allowance of Eastern Division criminal cases.

C. All guilty pleas pursuant to Federal Rule 20 for arrests within the Eastern Division shall be assigned to the Eastern Division.

D. For any transfer of a case to or from any Division that requires a

change of the individual attorney of record as approved by the transferor judge, there shall be a new minimum 30-day period for trial preparation which shall run from the day of the order of transfer, unless waived by the parties."

Dated: JAN 30 1995