FILED
CLERK, U.S. DISTRICT COURT
FEB 6 1998
CENTRAL DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

IN THE MATTER OF)
)
METHOD OF ALLOCATING CIVIL)
CASES AMONG THE DIVISIONS)
OF THE CENTRAL DISTRICT)
COURT OF CALIFORNIA) GENERAL ORDER NO. 98-3

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 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-A be amended as follows:

"1. Assignment of Civil Cases to the Southern Division

A. (i) Except as provided in paragraph (1) (B), a civil case shall be assigned to the Southern Division if one 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 (1) (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 Western and Eastern Divisions pursuant to paragraph (1) (B) (iii) and section (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 it appears that the actual number of civil cases assigned to the Southern Division for the given period will be substantially less than the predetermined number of cases allowed for assignment, the Clerk shall promptly notify the Chief Judge and

Chair of the Case Management and Assignment Committee. To reduce the discrepancy, the Clerk may be directed to include in the Western or Eastern civil assignment wheels a specific number of civil cards for each Southern Division judicial officer for random assignment. The number of civil cards for Southern Division judicial officers added to the Western or Eastern Division assignment wheels shall be credited against the Southern Division predetermined number of cases allowed for assignment for the given period.

2. Assignment of Civil Cases to the Eastern Division

A. (i) Except as provided in paragraph (2) (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 (2) (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 Western and Southern Divisions pursuant to paragraph (2) (B) (iii) and section (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 it appears that the actual number of civil cases assigned to the Eastern Division for the given period will be substantially less than the predetermined number of cases allowed for assignment, the Clerk shall promptly notify the Chief Judge and the Chair of the Case Management and Assignment Committee. To reduce the discrepancy, the Clerk may be directed to include in the Western or Southern civil assignment wheels a specific number of civil cards for each Eastern Division judicial officer for random assignment. The number of civil cards for Eastern Division judicial officers added to the Western or Southern Division assignment wheels shall be credited against the Eastern Division predetermined number of cases allowed for assignment for the given period.

These amendments shall be effective February 9, 1998.

Dated: February 6, 1998

UNITED STATES DISTRICT COURT ACTIVE JUDGES

Chief Judge Wm. Matthew Byrne, Jr.

Ronald S.W. Lew

Manuel L. Real

Gary L. Taylor

Terry J. Hatter, Jr.

Lourdes G. Baird

Consuelo B. Marshall

Linda H. McLaughlin

Alicemarie H. Stotler

Audrey B. Collins

William J. Rea

Richard A. Paez

James M. Ideman

Robert J. Timlin

William D. Keller

George H. King

Stephen V. Wilson

Kim McLane Wardlaw

J. Spencer Letts

Dean D. Pregerson

Dickran Tevrizian

Christina A. Snyder

John G. Davies

UNITED STATES DISTRICT COURT SENIOR JUDGES

Albert Lee Stephens, Jr.

Laughlin E. Waters

Irving Hill

Edward Rafeedie

A. Andrew Hauk

Robert M. Takasugi

David W. Williams

Harry L. Hupp

Robert J. Kelleher

Mariana R. Pfaelzer