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

PLAINTIFF'S NAME,
Plaintiff(s),
vs.
DEFENDANT'S NAME,
Defendant(s).

Case No.: Number

**INITIAL STANDING ORDER FOR CIVIL CASES
ASSIGNED TO JUDGE MARK C. SCARSI**

This case has been assigned to the calendar of Judge Mark C. Scarsi. Both the Court and counsel bear responsibility for the progress of this litigation in federal court. To “secure the just, speedy, and inexpensive determination” of this case, as called for in Fed. R. Civ. P. 1, all parties or their counsel are ordered to become familiar with the Federal Rules of Civil Procedure, the Local Rules of the Central District of California, and this Court’s Standing Orders.

THE COURT ORDERS AS FOLLOWS:

1. Service of the Complaint

The plaintiff shall promptly serve the complaint in accordance with Fed. R. Civ. P. 4 and file the proofs of service using the Court’s Civil Form CV-001 pursuant to [Local Rule 5-3](#).

1 Although Fed. R. Civ. P. 4(m) does not require the summons and complaint to be served for 90
2 days, the Court expects service as soon as service can reasonably be accomplished. The
3 Court will require plaintiff to show good cause to extend the service deadline beyond 90 days.

4 **2. Presence of Lead Counsel**

5 Lead trial counsel shall attend any scheduling, pretrial, or settlement conference set by
6 the Court unless engaged in trial. Should that occur, counsel are to file a request for alternate
7 or co-counsel to appear with a proposed order. The Court does not permit special
8 appearances; only counsel of record may appear at any proceeding.

9
10 **3. Ex Parte Applications**

11 Ex parte applications are solely for extraordinary relief and should be used with
12 discretion. See *Mission Power Eng'g Co. v. Cont'l Cas. Co.*, 883 F. Supp. 488 (C.D. Cal.
13 1995). Ex parte applications that fail to conform to [Local Rule 7-19](#), including a statement of
14 opposing counsel's position, will not be considered, except on a specific showing of good
15 cause. Concurrently with service of the ex parte papers by electronic service and telephonic
16 notice, counsel shall also serve the moving party by either facsimile, email, or personal
17 service, and give notice to the moving party that opposing papers must be filed no later than
18 24 hours (or one court day) following service. If counsel do not intend to oppose the ex parte
19 application, counsel must inform the Courtroom Deputy Clerk by telephone or email as soon
20 as possible.

21
22 **4. Continuances or Extensions of Time**

23 This Court is very committed to adhering to all scheduled dates. In general, this makes
24 the judicial process more efficient and less costly. Changes in dates are disfavored. Trial
25 dates set by the Court are firm and will rarely be changed. Therefore, any request, whether by
26 application or stipulation, to continue the date of any matter before this Court must be
27 supported by a sufficient basis that demonstrates good cause why the change in the date is
28

1 essential. Without such compelling factual support, requests to continue dates set by this
2 Court will not be approved. Counsel requesting a continuance must electronically file any
3 application or stipulation with a proposed order, including a detailed declaration of the grounds
4 for the requested continuance or extension of time. The Court will not consider any request
5 that does not comply with the Local Rules and this Order. Proposed stipulations extending
6 scheduling dates become effective only if, and when, this Court approves the stipulation as
7 presented to, or modified by, the Court, and an associated order is entered. Counsel should
8 avoid submitting requests for a continuance less than at least seven (7) calendar days prior to
9 the scheduled date that is the subject of the request.
10

11 Any request or stipulation to continue shall incorporate the modified deadlines in
12 addition to the deadlines that remain unchanged. Each proposed modification should be
13 entered above the corresponding deadline, within the same cell as the corresponding current
14 deadline. The modified deadline should be placed between brackets (i.e., “[Date]”). For
15 example:
16

[March 11, 2020]	Non-Expert Discovery Cut-Off
Jan 1, 2019	

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18
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21 **5. TROs and Injunctions**

22 Parties seeking emergency or provisional relief shall comply with Fed. R. Civ. P. 65
23 and [Local Rule 65-1](#). The application shall include a proof of service which complies with the
24 Court’s requirements for ex parte applications or a separate request for service to be excused.
25 The Court will not rule on any application for such relief for at least 24 hours after the party
26 subject to the requested order has been served, unless service is excused. Counsel shall call
27 the Courtroom Deputy Clerk no later than 30 minutes after e-filing the documents.
28

1 Additionally, on the day the documents are e-filed, counsel shall deliver a courtesy copy on
2 the 4th Floor of the First Street Courthouse.

3 **6. Cases Removed from State Court**

4 All documents filed in state court, including documents appended to the complaint,
5 answers, and motions, must be re-filed in this Court as a supplement to the notice of
6 removal. See 28 U.S.C. § 1447(a) and (b). If the defendant has not yet answered or filed a
7 motion in response to the complaint, the answer or responsive pleading filed in this Court
8 must comply with the Federal Rules of Civil Procedure and the Local Rules. If, before the
9 case was removed, a motion or demurrer in response to the complaint was pending in state
10 court, it must be re- noticed in this Court in accordance with [Local Rule 6-1](#) and [Local Rule 7](#).
11 Counsel shall file with their first appearance a Notice of Interested Parties in accordance with
12 [Local Rule 7.1-1](#).
13

14 If an action is removed to this Court that contains a form pleading, *i.e.*, a pleading in
15 which boxes are checked, the party or parties utilizing the form pleading must file an
16 appropriate pleading with this Court within 30 days of receipt of the Notice of Removal. The
17 appropriate pleading referred to must comply with the requirements of Fed. R. Civ. P. 7, 7.1,
18 8, 9, 10 and 11.
19

20 **7. Status of Fictitiously Named Defendants**

21 This Court intends to adhere to the following procedures where a matter is removed to
22 this Court on diversity grounds with fictitiously named defendants. See 28 U.S.C. §§ 1441 and
23 1447.

24 **a.** Plaintiff is expected to ascertain the identity of, and serve, any fictitiously named
25 defendant, within 90 days of the removal of the action to this Court.
26

27 **b.** If plaintiff believes (by reason of the necessity for discovery or otherwise) that
28 fictitiously named defendants cannot be fully identified within the 90-day period, an ex parte

1 application requesting permission to extend that period to effectuate service may be filed with
2 this Court. Such an application shall state the specific reasons for the requested extension of
3 time, including a description of all efforts made up to that time to identify and serve such
4 person(s). The ex parte application shall be served upon all appearing parties, and shall state
5 that appearing parties may file written comments within seven (7) days of the filing of the ex
6 parte application.
7

8 **c.** If plaintiff wants to substitute a defendant for one of the fictitiously named
9 defendants, plaintiff shall first seek the consent of counsel for all defendants (and counsel for
10 the fictitiously named party, if that party has separate counsel). If consent is withheld or
11 denied, plaintiff should file a motion on regular notice. The motion and opposition should
12 address whether the matter should thereafter be remanded to the Superior Court if complete
13 diversity of citizenship would no longer be present as a result of the addition of the new party.
14 See U.S.C. § 1447(c) and (d).
15

16 **8. Discovery**

17 **a. Discovery Matters Referred to Magistrate Judge**

18 All discovery matters, including all discovery motions, are referred to the assigned
19 United States Magistrate Judge. The Magistrate Judge's initials follow the District Judge's
20 initials next to the case number on this Order. All discovery-related documents must include
21 the words "DISCOVERY MATTER" in the caption to ensure proper routing. Counsel are
22 directed to contact the Magistrate Judge's Courtroom Deputy Clerk to schedule matters for
23 hearing. Please deliver mandatory chambers' copies of discovery-related papers to the
24 Magistrate Judge assigned to this case rather than to this Court.
25

26 In accordance with 28 U.S.C. § 636(b)(1)(A), the Court will not reverse any order of the
27 Magistrate Judge unless it has been shown that the Magistrate Judge's order is clearly
28 erroneous or contrary to law.

1 Any party may file and serve a motion for review and reconsideration before this Court.
2 See [Local Rule 7-18](#). The moving party must file and serve the motion within 14 days of
3 service of a written ruling or within 14 days of an oral ruling that the Magistrate Judge states
4 will not be followed by a written ruling. The motion must specify which portions of the ruling are
5 clearly erroneous or contrary to law and support the contention with points and authorities.
6 Counsel shall deliver a conformed copy of the moving papers and responses to the Magistrate
7 Judge's Courtroom Deputy Clerk at the time of filing.
8

9 **b. Compliance with Fed. R. Civ. P. 26(a)**

10 Unless there is a likelihood that, upon motion by a party, the Court would order that any
11 or all discovery is premature, counsel should begin to conduct discovery actively before the
12 Scheduling Conference. Discovery is not stayed prior to the Scheduling Conference or after
13 dates have been set unless otherwise ordered by the Court. At the very least, the parties shall
14 comply fully with the letter and spirit of Fed. R. Civ. P. 26(a) and thereby obtain and produce
15 most of what would be produced in the early stage of discovery, because at the Scheduling
16 Conference the Court will impose firm deadlines to complete discovery
17

18 **9. Motions**

19 **a. Time for Filing and Hearing Motions**

20 Motions shall be filed in accordance with [Local Rule 6-1](#) and [Local Rule 7](#). In general,
21 this Court hears motions on Mondays, beginning at 9:00 a.m. If Monday is a national holiday,
22 motions will be heard on the following Monday. It is not necessary to clear a hearing date with
23 the Courtroom Deputy Clerk prior to the filing of a motion, but counsel shall review the Court's
24 Closed Motion Dates prior to selecting a date. Motion dates are closed when the Court's
25 calendar is full and, therefore, counsel shall not assume that a motion date(s) is available.
26

27 The Court does not require a proposed order to be e-filed with any motion unless
28 otherwise directed by the Court. A separate order will issue.

1 **b. Briefing Motions**

2 **Please read this section carefully. This Court’s schedule for briefing motions**
3 **differs significantly from the briefing schedule set by the Local Rules.**

4 Any motion that is filed and set for a hearing to be held fewer than 35 days from the
5 date of the filing of the motion shall be briefed pursuant to [Local Rule 6-1](#) and [Local Rule 7](#).
6
7 Otherwise, motions shall be briefed according to the following schedule:

8 (a). Any motion that is filed and set for a hearing between 35 and 70 days from the
9 date of the filing of the motion: (i) any opposition must be filed no later than 14 days after the
10 filing of the motion; and (ii) any reply must be filed no later than 21 days after the filing of the
11 motion.

12 (b). Any motion that is filed and set for a hearing more than 70 days from the date of
13 the filing of the motion: (i) any opposition must be filed no later than 21 days after the filing of
14 the motion; and (ii) any reply must be filed no later than 35 days after the filing of the motion.

15 The Court will permit the parties to stipulate, without a court order, to a briefing
16 schedule for any motion that is set for a hearing to be held more than 70 days from the date it
17 was filed so long as the reply is filed no later than five (5) weeks prior to the hearing date. A
18 stipulation regarding the agreed-upon briefing schedule shall be filed with the Court within
19 seven (7) calendar days from the date the motion is filed. The stipulation shall include in the
20 caption “STIPULATED PER STANDING ORDER.”
21

22 **c. Pre-Filing Requirement To Meet and Confer**

23 Counsel must comply with [Local Rule 7-3](#), which requires counsel to engage in a pre-
24 filing conference “to discuss thoroughly . . . the substance of the contemplated motion and
25 any potential resolution.” Counsel should discuss the issues to a sufficient degree that if a
26 motion is still necessary, the briefing may be directed to those substantive issues requiring
27 resolution by the Court. Counsel should resolve minor procedural or other non-substantive
28

1 matters during the conference. The *in propria persona* status of one or more parties does not
2 alter this requirement.

3 **d. Length and Format of Motion Papers**

4 Memoranda of points and authorities shall not exceed 25 pages and all footnotes shall
5 be in the same type size pursuant to [Local Rule 11-3](#). Oppositions shall not exceed 25 pages
6 and any reply shall not exceed 10 pages. All motion papers shall be filed pursuant to [Local](#)
7 [Rule 11-3](#) and [Local Rule 11-6](#). Only in rare instances and for good cause shown will the
8 Court grant an application to extend these page limitations. No supplemental brief shall be
9 filed without prior leave of Court.
10

11 If documentary evidence in support of or in opposition to a motion or application
12 exceeds 100 pages, the documents shall be placed in a binder, with an index and with each
13 item of evidence separated by a tab divider. If such evidence exceeds 200 pages, the
14 documents shall be placed in a Slant D-Ring binder, with an index and with each item of
15 evidence separated by a tab divider.
16

17 Counsel shall adhere to [Local Rule 5-4.3](#) with respect to the conversion of all
18 documents to a PDF so that when a document is e-filed, it is in the proper size and format that
19 is PDF searchable. Further, all documents shall be filed in a format so that text can be
20 selected, copied, and pasted directly from the document.

21 **e. Mandatory Chambers' Copies**

22 Mandatory chambers' copies are to be submitted pursuant to [Local Rule 5-4.5](#). The
23 Court requires copies of only: (i) initial pleadings (complaints, counterclaims, cross-claims),
24 (ii) Joint Rule 16(b)/26(f) reports with schedule of pretrial and trial dates, (iii) motion papers
25 (motions, oppositions, replies, non-oppositions, and any document relating to such), (iv) trial
26 documents (joint statement of the case, proposed voir dire, jury instructions, verdict form,
27 joint exhibit list, joint witness list, and any disputes relating to such), (v) ex parte applications
28

1 relating to a temporary restraining order, and (vi) presentation materials for patent cases.
2 Mandatory chambers' copies must be delivered to the Clerk's Office, located in the First
3 Street Courthouse, no later than 12:00 P.M. on the day following the filing of the document,
4 with the exception of a document(s) relating to a temporary restraining order, which is to be
5 submitted the day it is filed. See *infra*, 11, p. 18.

6 Mandatory chambers' copies must be printed from CM/ECF and must include the
7 CM/ECF-generated header (consisting of the case number, document control number, date
8 of filing, page number, etc.). Any stapling or binding should not obscure the CM/ECF-
9 generated header. The Court prefers that chambers' copies not be two-hole punched or
10 blue-backed; when possible, staple each copy only in the upper left hand corner.

11
12 **f. Citations to Case Law**

13 Citations to case law must identify not only the case cited, but the specific page
14 referenced. For example, if a quotation is presented, the associated page citation shall be
15 provided. Similarly, if a case is cited in support of a proposition based on language in the
16 opinion, the page(s) on which such language appears shall be provided. Bluebook style is
17 preferred.

18
19 **g. Citations to Other Sources**

20 Statutory references should identify with specificity the sections and subsections
21 referenced. Citations to treatises, manuals, and other materials should include the volume,
22 section, and pages that are referenced. Citations to prior filings in the same matter shall include
23 the docket entry number, section, and pages that are referenced. Bluebook style is preferred.

24
25 **h. Oral Argument**

26 If the Court deems a matter appropriate for decision without oral argument, the Court w
27 will notify the parties in advance. [Local Rule 7-15.](#)

1 **10. Specific Motions**

2 **a. Motions Pursuant to Rule 12**

3 Many motions to dismiss or to strike can be avoided if the parties confer in good faith
4 (as required by [Local Rule 7-3](#)), especially where perceived defects in a complaint, answer, or
5 counterclaim could be corrected by amendment. See *Chang v. Chen*, 80 F.3d 1293, 1296 (9th
6 Cir. 1996) (where a motion to dismiss is granted, a district court should provide leave to amend
7 unless it is clear that the complaint could not be saved by any amendment). These principles
8 require that plaintiff’s counsel carefully evaluate defendant’s contentions as to the deficiencies
9 in the complaint. In most instances, the moving party should agree to any amendment that
10 would cure the defect.

11 If a motion to dismiss is granted with leave to amend, counsel shall attach as an
12 appendix to an amended pleading a “redline” version of the amended pleading showing all
13 additions and deletions of material.
14

15 **b. Motions to Amend**

16 All motions to amend pleadings shall: (1) state the effect of the amendment and (2)
17 identify the page and line number(s) and wording of any proposed change or addition of
18 material. The proposed amended pleading shall be serially numbered to differentiate it from
19 previously amended pleadings.
20

21 In addition to the requirements of [Local Rule 15](#), counsel shall attach as an appendix to
22 the moving papers a “redline” version of the proposed amended pleading showing all additions
23 and deletions of material.
24

25 **c. Summary Judgment Motions**

26 Parties need not wait until the motion cut-off date to bring a motion(s) for summary
27 judgment or partial summary judgment. Whenever possible, the party moving for summary
28 judgment should provide more than the minimum twenty-eight (28) day notice for motions. See

1 [Local Rule 6-1](#). The parties should prepare papers in a fashion that will assist the Court
2 in locating the evidence with respect to the facts (e.g., generous use of tabs, tables of contents,
3 headings, indices, etc.). The parties are to comply precisely with [Local Rule 56](#).

4
5 **i. Statements of Uncontroverted Facts and Genuine Issues**

6 The Statement of Uncontroverted Facts and Conclusions of Law ("Statement of
7 Uncontroverted Facts"), as required by [Local Rule 56-1](#), shall be separately lodged and identify
8 each claim for relief on which the moving party seeks summary judgment and the legal
9 grounds for summary judgment. In a two-column format beneath the identified claim for
10 relief, the left- hand column shall set forth, sequentially numbered, each allegedly
11 uncontroverted material fact as to that claim for relief, and the right-hand column shall set
12 forth the evidence that supports the factual statement. Citation to the supporting evidence
13 shall be specific, including reference to the docket number, exhibit, page, and line number.

14 The Statement of Uncontroverted Facts shall be formatted based on the following examples:

15 **Plaintiff's Claim for Relief for _____ is Barred by the Applicable Statute of**
16 **Limitations. (Cite)**

17 1. (Moving party's first undisputed fact)	(Supporting evidence citation, e.g., Dkt. 50, 18 Exh. 5 at 7:3-5)
19 1. (Moving party's first undisputed fact)	(Supporting evidence citation, e.g., Dkt. 20 51-5, Exh. 5 at 8:4-5)

21
22 Chambers' copies of the Statement of Uncontroverted Facts and Conclusions of Law
23 shall be submitted in a binder, which is separated from the evidence in support of a motion
24 for summary judgment. Counsel shall include tab dividers which separate the statements of
25 uncontroverted facts in support of each claim for relief.

26
27 The opposing party's Statement of Genuine Disputes of Material Fact must be in two
28 columns and track the movant's separate statement exactly as prepared. The left-hand

1 column must restate the allegedly undisputed fact and the alleged supporting evidence, and
2 the right- hand column must state either that it is undisputed or disputed. The opposing party
3 may dispute all or only a portion of the statement, but if disputing only a portion, such party
4 must clearly indicate what part is being disputed, followed by the opposing party's evidence
5 controverting the fact. To demonstrate that a fact is disputed, the opposing party must briefly
6 state why it disputes the moving party's asserted fact, cite to the relevant exhibit or other
7 evidence, and describe what it is in that exhibit or evidence that refutes the asserted fact. No
8 legal argument should be set forth in this document.
9

10 Chambers' copies of the opposing party's Statement of Genuine Disputes must also
11 be submitted in a binder, which is separated from the evidence in opposition to a motion for
12 summary judgment. Counsel shall include tab dividers which separate the Statement of
13 Genuine Disputes as to each claim for relief.

14 The opposing party may submit additional material facts that bear on, or relate to, the
15 issues raised by the movant, which shall follow the format described above for the moving
16 party's separate statement. These additional facts shall continue in sequentially numbered
17 paragraphs and shall set forth in the right-hand column the evidence that supports that
18 statement. Additional material facts shall be filed in a separate document from the Statement
19 of Genuine Disputes. Chambers' copies of the opposing party's additional material facts
20 must be filed in a separate binder from the Statement of Genuine Disputes. Counsel shall
21 include tab dividers which separate the additional material facts as to each claim for relief.
22

23 **ii. Supporting Evidence**

24 No party shall submit evidence other than the specific items of evidence or testimony
25 necessary to support or controvert a proposed statement of undisputed fact. For example,
26 entire deposition transcripts, entire sets of interrogatory responses, and documents that do
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1 not specifically support or controvert material in the separate statement shall not be
2 submitted in support of or opposition to a motion for summary judgment.

3 Evidence submitted in support of, or in opposition to, a motion should be submitted
4 either by way of stipulation or as exhibits to declarations sufficient to authenticate the
5 proffered evidence and should not be attached to the memorandum of points and authorities.
6 Documentary evidence as to which there is no stipulation regarding foundation must be
7 accompanied by the testimony, either by declaration or properly authenticated deposition
8 transcript, of a witness who can establish authenticity.

9
10 The parties shall ensure that electronically filed copies of evidence in support of, or in
11 opposition to, a motion for summary judgment are in the proper format. Thus, all documents
12 must be PDF searchable and have selectable text that may be copied and pasted directly
13 from the filed document. All chambers' copies shall be filed in accordance with ¶ 9(d) of this
14 Order. All chambers' copies and electronically filed documents must include the CM/ECF-
15 generated header (consisting of the case number, document control number, date of filing,
16 page number, etc.).

17
18 Additionally, testimony cited in a statement of uncontroverted facts, statement of
19 genuine material facts, or additional material facts shall be highlighted and/or underlined in
20 both the electronically filed copy on CM/ECF and in the chambers' copies.

21 **iii. Objections to Evidence**

22 Evidentiary objections to a declaration submitted in connection with a motion or other
23 matter shall be made in writing and served and e-filed at the same time as, but separately
24 from, the opposition or reply papers. If a party disputes a fact based in whole or in part of an
25 evidentiary objection, the ground of the objection should be succinctly stated in a separate
26 statement of evidentiary objections in a three-column format:
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1 a. The left column should include the relevant portions of any
2 b. declaration or deposition, which shall include the highlighted,
3 underlined, and/or bracketed portions that are being objected to
4 (including page and line number, if applicable). Each objection shall
5 be numbered and located within the copy of the declaration.

6 b. The middle column should set forth a concise objection (e.g., hearsay,
7 lacks foundation, etc.) with a citation to the Federal Rules of Evidence or, where applicable, a
8 case citation.

9 c. The right column should provide space for the Court's entry of its ruling
10 on the objection.

11 d. A proposed order shall be filed and attached to the evidentiary
12 objections as a separate document consistent with [Local Rule 52-4.1](#) and either uploaded
13 through the CM/ECF System or emailed directly to the Court's Chambers' email at:
14 mcs_chambers@cacd.uscourts.gov.

15 See Exhibit F to this Order. Counsel shall adhere to this format for any
16 evidentiary objections that are submitted to the Court for consideration.

17 **d. Motions in Limine**

18 Motions in limine are heard at the date and time of the Final Pretrial Conference and
19 shall be e-filed fourteen (14) calendar days before the Final Pretrial Conference. The motions
20 shall be prepared and filed consistent with [Local Rule 6-1](#) and [Local Rule 7](#) shall be
21 numbered sequentially by each party who presents them. The supporting memorandum shall
22 not exceed ten (10) pages. Any opposition(s) shall be e-filed seven (7) days before the Final
23 Pretrial Conference and shall not exceed 10 pages. The Court will permit oral argument on
24 motions in limine and, therefore, a reply is not required. The Court hears all motions in limine,
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1 which shall be numbered sequentially by each party who presents them, at the time of the
2 Final Pretrial Conference.

3 **e. Motions for Attorney's Fees**

4 Motions for attorney's fees shall be e-filed and set for hearing according to [Local Rule](#)
5 [6- 1](#) and this Order. Any motion or request for attorney's fees shall attach two summaries, in
6 table form, of the hours worked by and billing rate of each attorney with title (i.e., partner,
7 local counsel, associate, etc.).

8
9 The first table shall include a summary of the hours worked by each attorney,
10 organized by task (i.e., discovery, motion to dismiss, motion for summary judgment). If the
11 hourly rate charged by any individual attorney changed while the case was ongoing, the party
12 shall provide separate calculations for the total number of hours that the attorney spent in
13 connection with each task at each hourly rate.

14 The second table shall include a summary of the hours worked by each attorney,
15 organized by attorney. This table shall list all of the tasks on which the attorney worked,
16 the hours worked on each task, and the hourly rate of each attorney.

17 Any table as set forth above shall be attached to the motion and electronically filed.
18 The courtesy copy of the table shall be emailed to the Court's Chambers' email at:
19 mcs_chambers@cacd.uscourts.gov, which shall be prepared in Microsoft Excel and have all
20 restrictions removed so that the spreadsheet can be edited. See Exhibit G.

21
22 **i. Motions for Preliminary and Final Approval of Class Action**
23 **Settlement**

24 Parties submitting a motion for preliminary or final approval of a class settlement shall
25 include a spreadsheet supporting any proposed award of attorney's fees. The spreadsheet
26 shall include an estimate of any future attorney's fees for which compensation will be sought,
27 the normal hourly rate of all counsel for whom entries appear on the spreadsheet, the support
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1 for such hourly rate(s), and an explanation of the basis of any service enhancement award for
2 lead plaintiff(s), including the hours worked and activities performed by such lead plaintiff(s).
3 An editable, electronic courtesy copy shall be prepared in Microsoft Excel and emailed to the
4 Court's Chambers' email at: mcs_chambers@cacd.uscourts.gov formatted for use with
5 Microsoft Excel. See Exhibit G.

7 **11. Under Seal Documents**

8 Counsel shall comply with [Local Rule 79-5](#). All applications must provide the reason(s)
9 why the parties' interest in maintaining the confidentiality of the document(s) outweighs the
10 public's right of access to materials submitted in connection with a judicial proceeding.
11 Counsel are ordered to meet and confer in person or by telephone at least seven (7) calendar
12 days prior to the filing of an application in which the basis for the requested sealing is stated to
13 determine if they can agree on the proposed under seal filing. Not later than two (2) calendar
14 days after the meet and confer process has concluded, the non-proposing party shall confirm
15 whether it agrees to having such information designated as confidential or whether it opposes
16 an under seal filing. Any application for under seal filing, whether or not opposed, shall contain
17 the dates and method by which the parties met and conferred. If such information is not
18 provided, the application will be denied without prejudice to an amended application being
19 filed that complies with the foregoing terms.

22 **E-filing Applications for Leave to File Under Seal**

- 23 1. The application for leave to file under seal shall be filed on the public
24 docket and shall attach a proposed order pursuant to [Local Rule 5-](#)
25 [4.4.1](#) and [Local Rule 5-4.4.2](#). Any declaration that supports the application
26 shall also be attached to the application unless it contains confidential

1 information. The declaration shall be filed under seal as its own docket
2 entry if it contains confidential information.

3 2. The unredacted version of any document(s) shall be filed under seal. It
4 may be attached to the declaration that supports the application, if the
5 declaration is sealed and is filed as its own docket entry. Otherwise, it shall
6 be filed as its own docket entry. The title shall include "Unredacted" or
7 "Sealed" as the first word of the title of the document. Any sealed
8 document must clearly mark the information that is confidential or
9 privileged via highlighting in color and/or using brackets.
10

11 3. The Court will review the submitted documents and make a determination
12 as to whether the document(s) can be sealed and filed on the docket. If the
13 application is granted, counsel shall file:

14 i. The unredacted version of the entire document as its own docket
15 entry. The title shall include "Unredacted" or "Sealed" as the first
16 word of the title of the document. Any information that has been
17 redacted or omitted from the public filing must be clearly marked
18 via highlighting in color and/or using brackets.

19 ii. The redacted version of the entire document as its own docket
20 entry. Unless otherwise stated in the order granting the
21 application, a redacted version is required of all sealed
22 documents. The title shall include "Redacted" as the first word of
23 the title of the document. Any information that is confidential or
24 privileged must be blacked out or a page shall be inserted with the
25 title of the document that indicates that the entire document is
26 sealed.
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1. Closely related materials filed at the same time where some are proposed to be filed under seal and others will not be sealed shall be considered as a single document and filed as a single docket entry containing multiple attachments. For example, if certain exhibits to a declaration are to be filed under seal, even if other exhibits or the declaration are not, the entire document for which permission to seal should be sought is the declaration and all exhibits. The docket shall therefore include:
 2. One unredacted/sealed docket entry with the documents to include the declaration with all exhibits, including sealed exhibits, efiled as an attachment to the declaration;
 3. a separate redacted docket entry with the documents to include the declaration with all exhibits, including redacted exhibits, efiled as an attachment to the declaration.

(iii) A courtesy copy shall be delivered of the sealed document(s) only, both at the time that they are submitted as proposed documents to be sealed in connection with the application and after the application is granted. No courtesy copy is necessary of the application, proposed order, or any redacted document(s).

12. Initial Pleadings

Counsel shall comply with [Local Rule 3](#) when filing initial pleadings. All initiating pleadings, including third-party complaints, amended complaints, complaints in intervention, counterclaims, and cross claims, shall be filed as a separate document. None shall be combined with an answer.

1 **13. Amended Pleadings**

2 Every amended pleading shall be serially numbered to differentiate the pleading from
3 prior pleadings, e.g., First Amended Complaint, Second Amended Counterclaim, Third
4 Amended Cross Claim, etc. Counsel shall attach as an appendix to all amended pleadings a
5 “redline” version of the amended pleading showing all additions and deletions of material from
6 the most recent prior pleading.
7

8 **14. Pro Se/Self-Represented Parties**

9 Pro se/Self-represented parties may continue to present all documents to the Clerk
10 for filing in paper format pursuant to [Local Rule 5-4.2](#). However, the Court will also permit
11 self-represented parties to present all documents to the Clerk for filing by email so long as
12 they comply with the following requirements:

13 (a) The document shall be prepared so that it complies with the requirements set
14 forth in [Local Rule 11-3](#), i.e., legibility, font, paper, pagination, spacing, title page, page limits,
15 etc. Additionally, the document shall also comply with any requirements specific to the type
16 of document that is being submitted for filing, i.e., motions need to also adhere to [Local Rule](#)
17 [6-1](#) and [Local Rule 7](#) as set forth in ¶ 9 of this Order.

18 (b) The document shall be emailed as a PDF document to the Chambers’ email:
19 mcs_chambers@cacd.uscourts.gov no later than the date it is due. The Court will deem the
20 date the document is emailed as the filed or lodged date. The proceeding line of the email
21 shall contain: (i) the case number; (ii) case name; and (iii) “Pro Se Filing” to ensure it will be
22 filed/lodged properly.
23

24 (c) The Chambers’ email will be used solely to accept documents for filing. The
25 Chambers’ email is not to be used in any way to communicate with the Judge or Clerk. All
26 parties, including Pro se/Self-represented parties, shall refrain from writing letters to the
27 Court, sending e-mail messages, making telephone calls to chambers, or otherwise
28

1 communicating with the Court unless opposing counsel is present. All matters must be called
2 to the Court's attention by appropriate application or motion pursuant to [Local Rule 83-2](#).

3 (d) A courtesy copy of the document shall be mailed to the Court no later than
4 12:00 p.m. on the day following the date it was emailed as set forth in ¶ 9(e) of this Order.

5
6 (e) It is the Court's expectation that Pro se/Self-represented parties are to comply
7 with the Local Rules and the rules set by this Court. The Court has a Pro Se Clinic available
8 to assist those persons who do not have an attorney to represent them. Clinics are located in
9 Los Angeles, Riverside, and Santa Ana. More information can be obtained on the Court's
10 website located at <http://prose.cacd.uscourts.gov/>. The Los Angeles Clinic operates by
11 appointment only. You may schedule an appointment either by calling the Clinic or by using
12 an internet portal. You can call the Clinic at (213) 385-2977, ext. 270 or you can submit an
13 internet request at the following site: <http://prose.cacd.uscourts.gov/los-angeles>. Clinic staff
14 can respond to many questions with a telephonic appointment or through your email
15 account. It may be more convenient to email your questions or schedule a telephonic
16 appointment. Staff can also schedule you for an in-person appointment at their location in
17 the Roybal Federal Building and Courthouse, 255 East Temple Street, Suite 170, Los
18 Angeles, California 90012.

19
20 **15. Notice of This Order/E-Filed Documents**

21 Plaintiff's counsel or plaintiff (if appearing on his or her own behalf) shall immediately
22 serve this Order on all parties, including any new parties to the action. If this case came to
23 the Court by a Petition for Removal, the removing defendant(s) shall serve this Order on all
24 other parties.

25 ///

26 ///

27 ///

1 Any document that is e-filed shall be served by mail that same day on any party or
2 attorney who is not permitted or has not consented to electronic service, with a proof of service
3 to be filed within 24 hours.

4 **IT IS SO ORDERED.**

5
6 Dated:

MARK C. SCARSI
UNITED STATES DISTRICT JUDGE

EXHIBIT G: FORMAT FOR ATTORNEY'S FEES SUMMARY CHARTS

Table 1

Task 1: Motion to Dismiss

Attorney	Rate	Hours	Fee
Attorney 1 (position)	\$XXX/hour	Total hours spent by Attorney 1 on Task 1	\$XXX
Attorney 1 (position)	\$XXX/hour	Total hours spent by Attorney 1 on Task 1	\$XXX
Fee Request for Task 1		Task 1 Sum	Task 1 Sum

Task 2: Motion for Summary Judgment

Attorney 1 (position)	\$XXX/hour	Total hours spent by Attorney 1 on Task 1	\$XXX
Attorney 1 (position)	\$XXX/hour	Total hours spent by Attorney 1 on Task 1	\$XXX
Fee Request for Task 1		Task 1 Sum	Task 1 Sum

Table 2

Attorney	Rate	HOURS BY TASK		TOTALS
Attorney 1 (position)		Task	Total Hours Spent by Attorney on Task	Hours: Amount: \$
		i.e., Motion to Dismiss		
		Discovery		
		Deposition		
		Task 4		
Attorney 1 (position)		Task	Total Hours Spent by Attorney on Task	Hours: Amount: \$
		Task 5 (etc.)		
Total				Hours: Amount: \$