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

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

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**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, this Court’s Order for Jury Trial, and this Court’s Order

1 for Court Trial.<sup>1</sup>

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

4 **1. Service of the Complaint.** The Plaintiff(s) shall promptly serve the  
5 Complaint in accordance with Fed. R. Civ. P. 4 and file the proofs of service pursuant  
6 to Local Rule. Any Defendant(s) not timely served shall be dismissed from the action  
7 without prejudice. Any “DOE” or fictitiously-named Defendant(s) who is not  
8 identified and served within 90 days after the case is filed shall be dismissed pursuant  
9 to Federal Rule of Civil Procedure 4(m).

10 **2. Removed Actions.** Any answers filed in state court must be refiled in this  
11 Court as a supplement to the petition. Any pending motions must be re-noticed in  
12 accordance with Local Rules. If an action is removed to this Court that contains a form  
13 pleading, i.e., a pleading in which boxes are checked, the party or parties utilizing the  
14 form pleading must file an appropriate pleading with this Court within thirty (30) days  
15 of receipt of the Notice of Removal. The appropriate pleading referred to must comply  
16 with the requirements of Federal Rules of Civil Procedure, Rules 7, 7.1, 8, 9, 10 and  
17 11.

18 **3. Petitions under 18 U.S.C. Section 983(f).** Petitioner(s) shall file and serve  
19 within 3 days of the date of this order an ex parte application requesting a hearing on  
20 the Petition to ensure prompt resolution of the Petition in compliance with section  
21 983(f)’s deadlines.

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24 <sup>1</sup>Copies 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  
27 915 East 1st Street  
28 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           **4. Presence of Lead Counsel.** The attorney attending any proceeding before  
2 this Court, including all status and settlement conferences, must be the lead trial  
3 counsel.

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

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

20           **6. Motions.** Motions shall be filed and set for hearing in accordance with Local  
21 Rule 6-1, except that this Court hears motions on Mondays commencing at 9:00 a.m.  
22 If Monday is a national holiday, this Court will hear motions on the succeeding  
23 Tuesday. If the date the motion was noticed for hearing is not available, the Court will  
24 issue a minute order resetting the date. Any opposition or reply papers due on a  
25 holiday are due the **preceding** Friday, not the following Tuesday. **Memoranda of**  
26 **Points and Authorities in support of or in opposition to motions shall not exceed**  
27 **20 pages. Replies shall not exceed 10 pages.** Only in rare instances and for good  
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1 cause shown will the Court agree to extend these page limitations. Pursuant to Local  
2 Rule 11-3.1.1, either a proportionally spaced or monospaced font may be used. A  
3 proportionally spaced font must be 14-point or larger, or as the Court may otherwise  
4 order. A monospaced font may not contain more than 10½ characters per inch.

5 **Motions, Oppositions, and Replies shall be electronically filed only. Parties**  
6 **shall not file courtesy copies. With the exception of physical exhibits, all**  
7 **documents supporting the motion, opposition, or reply (e.g., declarations,**  
8 **exhibits, statements of undisputed or disputed facts, judicial notices) shall also be**  
9 **electronically filed only, and filed as attachments to the corresponding brief.**  
10 **Furthermore, each supporting document shall be filed as an individual**  
11 **attachment, such that each document can be accessed by its own individual link.**  
12 **Each attachment shall be designated by the title of the document.**

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

15 **Document Selection Menu**

16 Select the document you wish to view.

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

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19 **Attachment      Description**

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

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27 **Within the parties’ briefs, any reference to information or evidence contained in**

1 **the supporting documents shall contain the documents' specific docket entry**  
2 **numbers in the citation.** *Example: Plaintiff and Defendant executed the Purchase*  
3 *Agreement on January 2, 2010. (Purchase Agreement, Smith Decl., Ex. A at p.5,*  
4 *Docket Entry 100-3.)*

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

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

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

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

22 **9. Telephonic Hearings.** The Court does not permit appearances or arguments  
23 by way of telephone conference calls.

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25 **10. Ex Parte Applications.** The Court considers ex parte applications on the  
26 papers and does not usually set these matters for hearing. If a hearing is necessary, the  
27 parties will be notified. Ex parte applications are solely for extraordinary relief and  
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1 should be used with discretion. Sanctions may be imposed for misuse of ex parte  
2 applications. See Mission Power Engineering Co. v. Continental Casualty Co., 883  
3 F.Supp. 488 (C.D. Cal. 1995).

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

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

1           **12. Communications with Chambers.** Counsel shall not attempt to contact  
2 the Court or its staff by telephone or by any other ex parte means. Counsel may  
3 contact the Courtroom Deputy Clerk with appropriate inquiries only. Counsel shall not  
4 contact the Courtroom Deputy regarding status of ex parte application/ruling or  
5 stipulation/ruling.

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

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

14           **15. Courtesy Copies:** Courtesy copies are not required with documents  
15 traditionally filed over the intake counter. Courtesy copies **shall** be submitted for the  
16 following electronically filed documents: (1) Stipulations; (2) Ex Parte Applications;  
17 and (3) the following Final Pre-Trial Documents: Motions in Limine, Memoranda of  
18 Contention of Fact and Law, Witness Lists, Joint Succinct Statement of the Case, Voir  
19 Dire Questions (if the parties choose to submit any), and Jury Instructions. These  
20 courtesy copies shall be delivered to the judge's courtesy copy drop box located  
21 outside of the Clerk's Office, Room 181L, no later than the following business day  
22 after the electronic filing. Courtesy copies **shall not** be submitted for any other  
23 electronically filed documents.

24           **16. 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".

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12 DATED:

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15 R. GARY KLAUSNER  
United States District Judge  
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