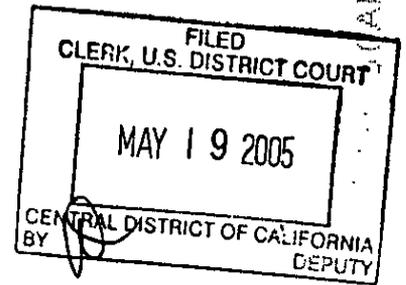


SEND

UNANNOUNCED



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

11 IDEALFLOOD, INC., a Nevada
 12 corporation,

13 Plaintiff,

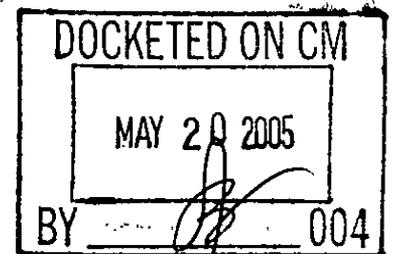
14 v

15 ABOUT, INC., a Delaware corporation,
 16 UNITED ONLINE, INC., et al

17 Defendants.

NO. CV 05-3618 RGK (FMOx)

**STANDING ORDER REGARDING
 NEWLY ASSIGNED CASES**



22 **READ THIS ORDER CAREFULLY. IT CONTROLS THIS CASE.**

23 This action has been assigned to the calendar of Judge R. Gary Klausner. The
 24 responsibility for the progress of litigation in the Federal Courts falls not only upon the
 25 attorneys in the action, but upon the Court as well. "To secure the just, speedy, and
 26 inexpensive determination of every action," Federal Rule of Civil Procedure 1, all counsel
 27 are hereby ordered to familiarize themselves with the Federal Rules of Civil Procedure,
 28 particularly Federal Rules of Civil Procedure 16, 26, the Local Rules of the

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1 Central District of California, this Court’s Order for Jury Trial, and this Court’s Order for
2 Court Trial.¹

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4 **UNLESS OTHERWISE ORDERED BY THE COURT, THE FOLLOWING**
5 **RULES SHALL APPLY:**

6
7 **1. Service of the Complaint.** The Plaintiff(s) shall promptly serve the Complaint
8 in accordance with Fed. R. Civ. P. 4 and file the proofs of service pursuant to Local Rule.
9 Any Defendant(s) not timely served shall be dismissed from the action without prejudice.
10 Any “DOE” or fictitiously-named Defendant(s) who is not identified and served within
11 120 days after the case is filed shall be dismissed pursuant to Federal Rule of Civil
12 Procedure 4(m).

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

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22 **3. Presence of Lead Counsel.** The attorney attending any proceeding before this
23

24 ¹Copies 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
915 East 1st Street
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 Court, including all status and settlement conferences, must be the lead trial counsel.

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

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

17 **5. Motions.** Motions shall be filed and set for hearing in accordance with Local
18 Rule, except that this Court hears motions on Mondays commencing at 9:00 a.m. If
19 Monday is a national holiday, this Court will hear motions on the succeeding Tuesday. If
20 the date the motion was noticed for hearing is not available, the Court will issue a minute
21 order continuing the date. Any opposition or reply papers due on a holiday are due the
22 **preceding** Friday, not the following Tuesday and must be hand-served or faxed to
23 opposing counsel on that Friday. **Memoranda of Points and Authorities in support of**
24 **or in opposition to motions shall not exceed 20 pages. Replies shall not exceed 10**
25 **pages.** Only in rare instances and for good cause shown will the Court agree to extend
26 these page limitations. Pursuant to Local Rule, either a proportionally spaced or

1 monospaced face may be used. A proportionally spaced face must be 14-point or larger,
2 or as the Court may otherwise order. A monospaced face may not contain more than 10¹/₂
3 characters per inch.

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

7 **6. Proposed Orders.** Each party filing or opposing a motion or seeking the
8 determination of any matter shall serve and lodge a proposed order setting forth the relief
9 or action sought and a brief statement of the rationale for the decision with appropriate
10 citations.

11 **7. Courtesy Copies.** Counsel shall deliver a conformed (file stamped) courtesy
12 copy of all oppositions and replies to motions, including supporting documents to such
13 filings. Courtesy copies shall be delivered to the Judge Klausner's courtesy box, located
14 on the first floor, (outside of the Clerk's office) Roybal Federal Building, 255 East
15 Temple Street, Los Angeles, California 90012. Courtesy copies of any other documents
16 are not needed, unless specifically requested.

17 **8. Telephonic Hearings.** The Court does not permit appearances or arguments by
18 way of telephone conference calls.

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

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26 Counsel's attention is directed to Local Rule. The moving party shall serve the
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1 opposing party by facsimile transmission and shall notify the opposition that opposing
2 papers must be filed not later than 3:00 p.m. on the first business day following such
3 facsimile service. If counsel does not intend to oppose an ex parte application, he or she
4 must inform the Courtroom Deputy Clerk at (213) 894-2649. Counsel shall deliver a
5 conformed courtesy copy of moving or opposition papers as previously set forth.

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

18 **11. Communications with Chambers.** Counsel shall not attempt to contact the
19 Court or its staff by telephone or by any other ex parte means. Counsel may contact the
20 Courtroom Deputy Clerk with appropriate inquiries only. Counsel shall not contact the
21 Courtroom Deputy regarding status of ex parte application/ruling or stipulation/ruling. If
22 counsel desires a conformed copy of any proposed order submitted to the Court, counsel
23 shall provide an extra copy of the document, along with a self-addressed, stamped
24 envelope. Counsel should list their facsimile transmission numbers along with their
25 telephone numbers on all papers to facilitate communication with the Courtroom Deputy.

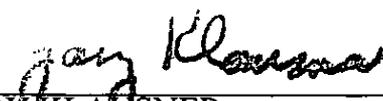
26 **12. Order Setting Scheduling Conference.** Pursuant to Federal Rule of Civil
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1 Procedure 16(b), the Court will issue an Order setting a Scheduling Conference as
2 required by Federal Rule of Civil Procedure 26 and the Local Rules of this Court.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

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

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9 DATED: 5/19/05

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11 R. GARY KLAUSNER
12 United States District Judge
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