

1
2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF CALIFORNIA

4 LINDA KLEINER,
5 Plaintiff,
6
7 v.
8 EARTHLINK, INC.,
9 Defendant.

Case No. 2:16-cv-1609 (WHO)

**ORDER FOR CASE REASSIGNED TO
VISITING JUDGE ORRICK AND
SETTING INITIAL CASE
MANAGEMENT CONFERENCE**

10 This case has been reassigned to the Hon. William H. Orrick of the Northern District of
11 California, who is serving as a visiting judge in the Eastern District of California.

12 **Governing Rules and Procedures**

13 The Eastern District of California Local Rules will govern this case, including EDCA
14 Local Rule 271 (Voluntary Dispute Resolution Program), with the following exceptions:

15 Judge Orrick's Standing Order

16 Counsel should review and follow Judge Orrick's Standing Order for Civil Cases,
17 available at <https://cand.uscourts.gov/whoorders> "Judge Orrick's Standing Order Civil."

18 Noticed Motions and Hearings

19 Law and Motion hearings will generally be held for the Eastern District cases on
20 **Wednesdays at 1:30 p.m.** To reserve a hearing date, contact Judge Orrick's Courtroom Deputy
21 Jean Davis at 415-522-7171 or jean_davis@cand.uscourts.gov. Parties will be expected to appear
22 telephonically for any hearing, unless both sides agree to appear in person in San Francisco and
23 inform Courtroom Deputy Jean Davis of their intent to appear. Prior to the hearing, Judge Orrick
24 may determine that a matter is appropriate for resolution on the papers and may vacate the hearing
25 date.

26 Motions shall be noticed for hearing at least 35 days before the proposed hearing date.
27 Any opposition to the motion shall be filed no later than 14 days after the motion was filed. Any
28 reply shall be filed no later than 7 days after the opposition and in no event less than 14 days prior

1 to the noticed hearing date.

2 Discovery

3 If a discovery dispute arises, counsel shall follow Judge Orrick's Joint Discovery Letter
4 procedure, described in detail in his Standing Order. <https://cand.uscourts.gov/whoorders> "Judge
5 Orrick's Standing Order Civil." EDCA Local Rules 251 and 302(c) do not apply to this case.

6 EDCA Local Rule 302(c)

7 EDCA Local Rule 302(c)'s designation of motions to be resolved by a Magistrate Judge
8 does not apply in this case. Matters may be referred to a Magistrate Judge by Judge Orrick on a
9 case-by-case basis.

10 Proposed Orders and Requests to Seal

11 All proposed orders and requests to seal required under the EDCA Local Rules shall be
12 emailed to WHO_po@cand.uscourts.gov. For requests to seal, the request to seal, the proposed
13 order, and all documents covered by the request shall be emailed in electronic form to
14 WHO_po@cand.uscourts.gov. Do not file requests to seal or documents covered by requests to
15 seal in paper at the EDCA or NDCA courthouses.

16 **Initial Case Management Conference**

17 A Case Management Conference will be held in this case on **November 8, 2016 at 3:00**
18 **p.m.** Parties will be expected to appear telephonically, unless both sides agree to appear in person
19 in Judge Orrick's courtroom in San Francisco and notify Courtroom Deputy Jean Davis of their
20 intent to appear. The parties' Case Management Conference Statement shall follow the form of
21 and address the issues specified in the Standing Order for All Judges of the Northern District of
22 California (for Case Management). A copy of that Standing Order can be found at
23 <https://cand.uscourts.gov/whoorders> "Standing Order for All Judges of the Northern District of
24 California."

25 **IT IS SO ORDERED.**

26 Dated: October 12, 2016

27

28


WILLIAM H. ORRICK
United States District Judge