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United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SBM SITE SERVICES, LLC,

No. C-10-80233-CRB (DMR)

Plaintiff,

**NOTICE OF REFERENCE, TIME AND
PLACE OF HEARING, AND
ORDER RE MOTION PROCEDURES**

v.

JOHN GARRETT,

Defendant.

TO ALL PARTIES AND COUNSEL OF RECORD:

The above matter has been referred to Magistrate Judge Donna M. Ryu for all discovery purposes. Please be advised that the hearing on Defendant's Motion for a Protective Order or, in the Alternative, Motion to Quash or Modify Subpoena Duces Tecum ("Motion") has been set before this Court for **November 3, 2010, at 1:30 p.m.**, in Courtroom 4, 3rd Floor, U.S. District Court, 1301 Clay Street, Oakland, California 94612. The briefing schedule shall be as follows:

Any opposition to the Motion shall be filed by no later than **October 12, 2010.**

Any reply shall be filed by no later than **October 19, 2010.**

1. All parties to a discovery dispute before Magistrate Judge Ryu shall comply with the procedures in this order, the Federal Rules of Civil Procedure, and the Northern District of

1 California’s Local Rules, General Orders, and General Standing Orders. Local rules, general orders,
2 general standing orders, and a summary of the general orders’ electronic filing requirements
3 (including the procedures for emailing proposed orders to chambers) are available at
4 <http://www.cand.uscourts.gov> (click “Rules” link and “ECF-PACER” link on left side). The parties’
5 failure to comply with any of the rules or orders may be a ground for sanctions.

6 2. All filings of documents relating to motions referred to Magistrate Judge Ryu shall
7 list the civil case number and the district court judge’s initials followed by the designation “(DMR).”

8 3. The Court has found that it is often efficient and beneficial for the parties if counsel
9 appear *in person at discovery hearings*. This gives the Court the opportunity, where appropriate, to
10 engage counsel in resolving aspects of the discovery dispute, while remaining available to rule on
11 any disputes that counsel are not able to resolve. For this reason, the Court expects counsel to
12 appear in person, unless they make a prior application showing good cause as to why the Court
13 should permit a telephonic appearance. Permission for a party to attend by telephone may be
14 granted, in the Court's discretion, upon written request made at least two weeks in advance of the
15 hearing, if the Court determines that good cause exists to excuse personal attendance, and that
16 personal attendance is not needed in order to have an effective discovery hearing. The facts
17 establishing good cause must be set forth in the request.

18 4. Motions for sanctions shall be filed by separate motion in accordance with
19 Fed.R.Civ.P. 37 and Civil L.R. 37-3.

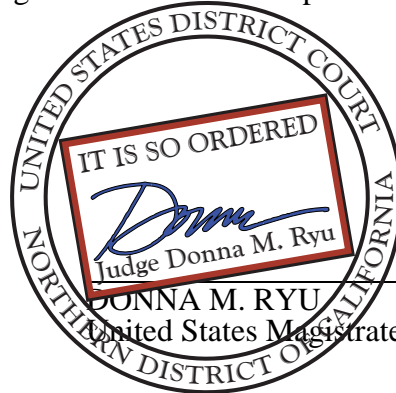
20 5. Under Civil L.R. 5-1(b), parties must lodge an extra paper copy of any filing and
21 mark it as a copy for “Chambers.” Chambers copies shall be submitted to the Oakland Clerk’s
22 Office in an envelope clearly marked with the case number, “Magistrate Judge Donna M. Ryu,” and
23 “Chambers Copy.” In a case subject to electronic filing, chambers copies must be submitted by the
24 close of the next court day following the day the papers are filed electronically. Any proposed
25 stipulation or proposed order in a case subject to electronic filing shall be submitted by email to
26 dmrpo@cand.uscourts.gov as a word processing format attachment on the same day that the
27 document is e-filed. This address is to be used only for proposed orders unless otherwise directed by
28 the Court.

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6. Parties may not file documents or portions of documents under seal without first obtaining a written Court order. Parties seeking to file documents or portions of documents under seal must fully comply with Civil L.R. 79-5.

IT IS SO ORDERED.

Dated: October 1, 2010



DONNA M. RYU
United States Magistrate Judge