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7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**
9 **SAN FRANCISCO DIVISION**
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11 GARY SIEBERT,

12 Plaintiff,

13 v.

14 GENE SECURITY NETWORK,

15 Defendant.
16

Case No. 11-cv-01987 JST (NC)

**ORDER STRIKING EMAILS TO
COURT**

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18 Over the weekend, starting with an email from plaintiff’s counsel Stephen R. Jaffe
19 sent to the Court’s deputy at 5:04 p.m. on Saturday October 4, followed by responding
20 emails from other counsel and a reply from Mr. Jaffe, the parties presented discovery issues
21 seeking Court order. Plaintiff-relator counsel “respectfully requests the court amend its
22 October 1st order . . .”

23 Any request to the Court for an order must be made by a stipulation or motion filed
24 with the Court. Fed. R. Civ. P. 7(b); Civ. L.R. 7-1(a). Further, the Local Rules provide that
25 “[e]xcept as otherwise provided by law, these Local Rules or otherwise ordered by the
26 Court, an attorney or party to an action must refrain from making telephone calls or writing
27 letters . . . to the assigned Judge or the Judge’s law clerks or otherwise communicating with
28 a Judge or the Judge’s staff regarding a pending matter, without prior notice to opposing

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1 counsel.” Civ. L.R. 11-4(c).

2 To be clear, emails to the Court and the Court’s staff are not the proper method of
3 seeking a Court order or responding to a request for a Court order. The Court strikes the
4 improper emails and admonishes all counsel not to repeat this approach.

5 Any party may object to this nondispositive discovery order within 14 days under
6 Federal Rule of Civil Procedure 72(a).

7 IT IS SO ORDERED.

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9 Date: October 6, 2014



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Nathanael M. Cousins
United States Magistrate Judge