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4 CLAY TRIPP, et al.,
5 Plaintiffs,
6 v.
7
8 CROSMARK, INC., et al.,
9 Defendants.
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11 Case No. [13-cv-03480-WHO](#)
12

13 **CASE MANAGEMENT CONFERENCE
14 ORDER**

15 **IT IS HEREBY ORDERED** that, pursuant to Fed.R.Civ.P. 16(b) and Civil L. R. 16-10, a
16 Case Management Conference will be held in this case before the Honorable William H. Orrick on
17 October 22, 2013 at 2:00 P.M. in Courtroom 2, 17th Floor, 450 Golden Gate Avenue, San
18 Francisco, CA 94102. This conference shall be attended by lead trial counsel for parties who are
19 represented. Parties who are proceeding without counsel must appear personally.

20 **1. Case Management Conference Requirements**

21 a. Plaintiffs shall serve copies of this Order at once on all parties to this action, and on
22 any parties subsequently joined, in accordance with the provisions of Fed.R.Civ.P.
23 4 and 5. Following service, plaintiffs shall file a certificate of service with the Clerk
24 of this Court.
25 b. Counsel are directed to confer in advance of the Case Management Conference.
26 Not less than seven days before the conference, counsel shall file a joint case
27 management statement in compliance with the Civil Local Rules and the Standing
28 Order for All Judges of the Northern District of California. Failure to file a joint

1 statement shall be accompanied by a signed declaration setting forth the grounds
2 for such failure. Failure to show good cause for such failure may subject the parties
3 to sanctions.

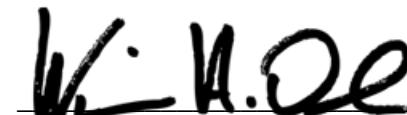
4 c. Each party shall be represented at the Case Management Conference by counsel
5 prepared to address all of the matters referred to in this Order, and with authority to
6 enter stipulations and make admissions pursuant to this Order.
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8 d. Any request to reschedule the above date should be made in writing, and by
9 stipulation, if possible, not less than ten days before the conference date. Good
10 cause must be shown.
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12 e. At the Case Management Conference the parties should be prepared to address and
13 resolve the following: setting the date and the estimated length of the trial; setting
14 the date for discovery cutoff; setting the date to designate experts and other
15 witnesses; and setting the date for the pretrial conference.

16 **2. Notice to Unrepresented (Pro Se) Parties in Non-Prisoner Cases**

17 a. Parties representing themselves should visit the link titled “If You Don’t Have a
18 Lawyer” on the Court’s homepage, www.cand.uscourts.gov. The link discusses the
19 Court’s “Legal Help Center” for unrepresented parties. The Legal Help Center can
20 be reached at 415-782-8982 and is located on the 15th Floor, Room 2796, of the
21 courthouse at 450 Golden Gate Avenue in San Francisco.
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23 b. If you are representing yourself and you have not been granted leave to proceed *in
24 forma pauperis* (IFP) by the Court, you must comply with the service requirements of
25 Rule 4 of the Federal Rules of Civil Procedure, as set forth below. Failure to follow the
26 procedures may result, under Rule 4(m), in dismissal of your case:
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- 1 (i) It is your responsibility to obtain a valid summons from the clerk and to effect
2 service of the summons and complaint on all defendants in accordance with
3 Rule 4 of the Federal Rules of Civil Procedure. If you have named the United
4 States government, a federal agency, a federal official or a federal employee as
5 a defendant, you must comply with the special requirements of Rule 4(i).
- 6 (ii) Service may be effected by any person who is not a party and who is at least 18
7 years of age, which means that you, as a party, may not effect service. If
8 service of the summons and complaint is not made upon a defendant within
9 120 days after the filing of the complaint, your action will, under Rule 4(m), be
10 dismissed as to that defendant.
- 11 (iii) Within 125 days after the filing of the complaint, you must file proof of service
12 indicating which defendants were served within the 120 days allowed under
13 Rule 4(m) and showing, in accordance with Rule 4(i), how each of those
14 defendants was served (for example, by attaching appropriate certificates of
15 service). You must also show cause why a defendant not served within the 120
16 days allowed under Rule 4(m) should not be dismissed without prejudice.
- 17 (iv) Failure to do these things within the designated time will result in the dismissal
18 of your case under Rule 4(m) and Rule 41(b).

21 Dated: August 14, 2013

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23 WILLIAM H. ORRICK
24 United States District Judge