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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SUSAN HUNT,  
Plaintiff,  
v.  
CONTINENTAL CASUALTY COMPANY,  
Defendant.

Case No. [13-cv-05966-HSG](#) (DMR)  
**NOTICE OF REFERENCE AND  
ORDER RE: DISCOVERY  
PROCEDURES**  
Re: Dkt. Nos. 55-61

United States District Court  
Northern District of California

TO ALL PARTIES AND COUNSEL OF RECORD:

The above matter has been referred to Magistrate Judge Donna M. Ryu for resolution of all discovery matters, including the parties' seven joint discovery letter briefs filed on March 24, 2015 (Docket Nos. 55, 56, 57, 58, 59, 60, 61). [Docket No. 67.]

The court has reviewed the joint discovery letters. Pursuant to the court's Standing Order regarding resolution of discovery disputes (see below), the undersigned requires parties to meet and confer **in person or by telephone** to try to resolve their disagreements. It does not appear that the parties have done so here; in fact, the parties represent that they last exchanged meet and confer letters in January 2015. It appears that further meet and confer would be fruitful. Therefore, the court orders the parties to meet and confer in person or by telephone by no later than **April 9, 2015** to attempt to narrow their disputes. Should any disputes remain after meeting and conferring, the parties may file a single joint letter that does not exceed twelve pages addressing all remaining disputes raised in the seven letters by no later than **April 16, 2015**. If necessary, the court will set a hearing on any remaining disputes after reviewing the letter.

Parties shall comply with the procedures in this order, the Federal Rules of Civil Procedure, and the Northern District of California's Local Rules, General Orders, and Standing Orders. Local rules, general orders, standing orders, and instructions for using the Court's

1 Electronic Case Filing system are available at <http://www.cand.uscourts.gov>. Failure to comply  
2 may result in sanctions.

### 3 **RESOLUTION OF DISCOVERY DISPUTES**

4 In order to respond to discovery disputes in a flexible, cost-effective and efficient manner,  
5 the court uses the following procedure. The parties shall not file formal discovery motions.  
6 Instead, as required by the federal and local rules, the parties shall first meet and confer to try to  
7 resolve their disagreements. The meet and confer session must be **in person or by telephone**, and  
8 may not be conducted by letter, e-mail, or fax. If disagreements remain, the parties shall file a  
9 joint letter **no later than five business days** after the meet and confer session, unless otherwise  
10 directed by the court. **Lead trial counsel for both parties must sign the letter**, which shall  
11 include an attestation that the parties met and conferred in person or by telephone regarding all  
12 issues prior to filing the letter. **The letter must also include a paragraph listing relevant case**  
13 **management deadlines**, including (1) the fact and expert discovery cut-off dates; (2) the last day  
14 to hear or file dispositive motions; (3) claim construction or class certification briefing deadlines  
15 and hearing dates; and (4) pretrial conference and trial dates. Going issue-by-issue, the joint letter  
16 shall describe each unresolved issue, summarize each party's position with appropriate legal  
17 authority, and provide each party's final proposed compromise before moving to the next issue.  
18 The joint letter shall not exceed **eight** pages (12-point font or greater; margins no less than one  
19 inch) without leave of court. **Parties are expected to plan for and cooperate in preparing the**  
20 **joint letter so that each side has adequate time to address the arguments.** In the rare instance  
21 that a joint letter is not possible, each side may submit a letter not to exceed **three** pages, which  
22 shall include an explanation of why a joint letter was not possible. The parties shall submit one  
23 exhibit that sets forth each disputed discovery request in full, followed immediately by the  
24 objections and/or responses thereto. No other information shall be included in the exhibit. No  
25 other exhibits shall be submitted without prior court approval. The court will review the  
26 submission(s) and determine whether formal briefing or proceedings are necessary. **Discovery**  
27 **letter briefs must be e-filed under the Civil Events category of Motions and Related Filings >**  
28 **Motions - General > "Discovery Letter Brief".**



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which it was sent to or shared with persons other than its author(s); and (f) the specific basis for the claim that the document is privileged or protected. Communications involving trial counsel that post-date the filing of the complaint need not be placed on a privilege log. Failure to promptly furnish a privilege log may be deemed a waiver of the privilege or protection.

**IT IS SO ORDERED.**

Dated: March 31, 2015

