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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GARY BLACK, et al.,

Plaintiffs,

v.

GOOGLE INC.,

Defendant.

No. C 10-02381 CW

AMENDED CASE
MANAGEMENT
SCHEDULING ORDER FOR
REASSIGNED CIVIL
CASE

_____ /
This action having been reassigned to the undersigned judge,
IT IS HEREBY ORDERED that a Case Management Conference will be held on **Tuesday, September 14, 2010, at 2:00 p.m.** in Courtroom 2, 4th Floor, 1301 Clay Street, Oakland, CA 94612. Pursuant to Civil L.R. 16-9(a), a joint Case Management Statement will be due seven (7) days prior to the conference (see attached Standing Order for All Judges of the Northern District of California).

If the conference is inconveniently scheduled, it may be rescheduled by agreement of all parties to another date or time convenient to the Court's calendar.

At the conclusion of the conference, an order will be entered setting dates either for a further case management conference, or for

1 close of discovery, pretrial conference, and trial. Other orders
2 regulating and controlling future proceedings may be entered.

3 FAILURE TO COMPLY WITH THIS ORDER may be deemed sufficient
4 grounds for dismissal of this cause, default or other appropriate
5 sanctions. See Fed. R. Civ. P. 16(f).

6 See attached for standard procedures.

7 IT IS SO ORDERED.

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9 Dated: July 7, 2010



CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

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2 NOTICE

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4 **Case Management Conferences and Pretrial Conferences** are
5 conducted on **Tuesdays** at 2:00 p.m. **Criminal Law and Motion** calendar
6 is conducted on **Wednesdays** at 2:00 p.m. for defendants in custody and
7 2:30 p.m. for defendants not in custody. **Civil Law and Motion**
8 calendar is conducted on **Thursdays** at 2:00 p.m. Order of call is
determined by the Court. Counsel need not reserve a hearing date for
civil motions; however, counsel are advised to check the legal
newspapers or the Court's website at www.cand.uscourts.gov for
unavailable dates.

9 Motions for Summary Judgment: All issues shall be contained
10 within one motion of 25 pages or less, made on 35 days notice. (See
11 Civil L.R. 7-2). Separate statements of undisputed facts in support
12 of or in opposition to motions for summary judgment will not be
13 considered by the Court. (See Civil Local Rule 56-2(a)). The motion
14 and opposition should include a statement of facts supported by
15 citations to the declarations filed with respect to the motion.
16 Evidentiary and procedural objections shall be contained within the
17 motion, opposition or reply; separate motions to strike will not be
18 considered by the Court. Any cross-motion shall be contained within
19 the opposition to any motion for summary judgment, shall contain 25
20 pages or less, and shall be filed 21 days before the hearing. The
21 reply to a motion may contain up to 15 pages, shall include the
22 opposition to any cross-motion, and shall be filed 14 days before the
23 hearing. (See Civil Local Rule 7-3). The Court may, *sua sponte* or
24 pursuant to a motion under Civil L.R. 6-3, reschedule the hearing so
25 as to give a moving party time to file a reply to any cross-motion.

26 All discovery motions are referred to a Magistrate Judge to be
27 heard and considered at the convenience of his/her calendar. All such
28 matters shall be noticed by the moving party for hearing on the
assigned Magistrate Judge's regular law and motion calendar, or
pursuant to that Judge's procedures.

Pursuant to General Order 45, § VI.G, "In all cases subject to
ECF, in addition to filing papers electronically, the parties are
required to lodge for chambers **no later than noon on the business day**
following the day that the papers are filed electronically, one paper
copy of each document that is filed electronically."

(rev. 10/10/07)

1 **STANDING ORDER FOR ALL JUDGES OF THE NORTHERN DISTRICT OF**
2 **CALIFORNIA**

3 **CONTENTS OF JOINT CASE MANAGEMENT STATEMENT**

4 Commencing March 1, 2007, all judges of the Northern District of California require the identical
5 information in Joint Case Management Statements filed pursuant to Civil Local Rule 16-9. The parties
6 must include the following information in their statement which, except in unusually complex cases,
7 should not exceed ten pages:

8 1. Jurisdiction and Service: The basis for the court’s subject matter jurisdiction over
9 plaintiff’s claims and defendant’s counterclaims, whether any issues exist regarding personal
10 jurisdiction or venue, whether any parties remain to be served, and, if any parties remain to be served,
11 a proposed deadline for service.

12 2. Facts: A brief chronology of the facts and a statement of the principal factual
13 issues in dispute.

14 3. Legal Issues: A brief statement, without extended legal argument, of the disputed points
15 of law, including reference to specific statutes and decisions.

16 4. Motions: All prior and pending motions, their current status, and any anticipated motions.

17 5. Amendment of Pleadings: The extent to which parties, claims, or defenses are expected to be
18 added or dismissed and a proposed deadline for amending the pleadings.

19 6. Evidence Preservation: Steps taken to preserve evidence relevant to the issues reasonably evident
20 in this action, including interdiction of any document-destruction program and any ongoing erasures of
21 e-mails, voice mails, and other electronically-recorded material.

22 7. Disclosures: Whether there has been full and timely compliance with the initial disclosure
23 requirements of Fed. R. Civ. P. 26 and a description of the disclosures made.

24 8. Discovery: Discovery taken to date, if any, the scope of anticipated discovery, any proposed
25 limitations or modifications of the discovery rules, and a proposed discovery plan pursuant to Fed. R.
26 Civ. P. 26(f).

27 9. Class Actions: If a class action, a proposal for how and when the class will be certified.

28 10. Related Cases: Any related cases or proceedings pending before another judge of this court, or
before another court or administrative body.

11 11. Relief: All relief sought through complaint or counterclaim, including the amount of any
12 damages sought and a description of the bases on which damages are calculated. In addition, any party
13 from whom damages are sought must describe the bases on which it contends damages should be
14 calculated if liability is established.

15 12. Settlement and ADR: Prospects for settlement, ADR efforts to date, and a specific ADR plan
16 for the case, including compliance with ADR L.R. 3-5 and a description of key discovery or motions
17 necessary to position the parties to negotiate a resolution.

18 13. Consent to Magistrate Judge For All Purposes: Whether all parties will consent to have a
19 magistrate judge conduct all further proceedings including trial and entry of judgment.

20 14. Other References: Whether the case is suitable for reference to binding arbitration, a special

1 master, or the Judicial Panel on Multidistrict Litigation.

2 15. Narrowing of Issues: Issues that can be narrowed by agreement or by motion, suggestions to
3 expedite the presentation of evidence at trial (e.g., through summaries or stipulated facts), and any
request to bifurcate issues, claims, or defenses.

4 16. Expedited Schedule: Whether this is the type of case that can be handled on an expedited basis
5 with streamlined procedures.

6 17. Scheduling: Proposed dates for designation of experts, discovery cutoff, hearing of dispositive
motions, pretrial conference and trial.

7 18. Trial: Whether the case will be tried to a jury or to the court and the expected length of the trial.

8 19. Disclosure of Non-party Interested Entities or Persons: Whether each party has filed the
9 “Certification of Interested Entities or Persons” required by Civil Local Rule 3-16. **In addition**, each
party must restate in the case management statement the contents of its certification by identifying any
10 persons, firms, partnerships, corporations (including parent corporations) or other entities known by the
party to have either: (i) a financial interest in the subject matter in controversy or in a party to the
11 proceeding; or (ii) any other kind of interest that could be substantially affected by the outcome of the
proceeding.

12 20. Such other matters as may facilitate the just, speedy and inexpensive disposition of this matter.

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1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 BLACK, et al.,

5 Plaintiffs,

6 v.

7 GOOGLE INC.,

8 Defendant.

Case Number: CV10-02381 CW

CERTIFICATE OF SERVICE

9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court,
10 Northern District of California.

11 That on July 7, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies)
12 in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in
13 the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's
14 office.

15 Gary Black
16 101 Auld Court
17 Green Valley Falls, CA 94534

17 Holli Beam-Black
18 101 Auld Court
19 Green Valley Falls, CA 94534

20 Dated: July 7, 2010

Richard W. Wieking, Clerk
By: Nikki Riley, Deputy Clerk

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