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

CHAFFEE,

No. C 10-04521 SBA

Plaintiff,

**CASE MANAGEMENT SCHEDULING
ORDER FOR REASSIGNED CIVIL
CASES**

v.

SAN FRANCISCO LIBRARY COMMISSION
ET AL,

Defendant.

_____ /

This action having been reassigned to the Honorable Sandra Brown Armstrong,

IT IS ORDERED that this action is assigned to the Case Management Program and shall be governed by Civil L.R. 16-2. The dates listed in the Order Setting Initial Case Management Conference remain in effect except that the initial Case Management Conference is rescheduled for **February 3, 2011, at 2:30 p.m.**, via telephone.

Plaintiff's counsel is to set up the conference call with all the parties on the line and call chambers at (510) 637-3559. **(NO PARTY SHALL CONTACT CHAMBERS DIRECTLY WITHOUT PRIOR AUTHORIZATION OF THE COURT.)**

Plaintiff(s) is directed to serve a copy of this Order at once on all parties to this action in accordance with the provisions of Rule 5 of the Federal Rules of Civil Procedure not enrolled in the e-filing program. Following service, the party causing the service shall file a certificate of service with the Clerk of Court.

Dated: 1/13/11



SAUNDRA BROWN ARMSTRONG
United States District Judge

United States District Court
For the Northern District of California

JUDGE ARMSTRONG'S STANDING ORDERS

Effective November 8, 2010

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2
3 1. **Compliance with Local Rules:** Counsel are expected to consult and comply with
4 all provisions of the Local Rules of Court relating to continuances, motions and all other matters.

5 2. **Law and Motion Calendar:** The Court's law and motion calendar takes place on
6 Tuesdays. The criminal law and motion calendar begins at 9:00 a.m. The civil law and motion
7 calendar begins at 1:00 p.m. Civil matters shall not be noticed for hearing on a Tuesday
8 following an official court holiday that falls on a Monday. The Court may, pursuant to
9 Fed.R.Civ.P. 78(b) and Civil L.R. 7-1(b), resolve motions without a hearing. The parties are
10 advised to confer with the Court's website at <http://www.cand.uscourts.gov> to determine whether
11 an appearance on the motion is required.

12 3. **Setting Motions for Hearing:** The Court does not reserve hearing dates. To
13 schedule a matter on the Court's civil law and motion calendar, the parties are directed to review
14 the Court's calendar at www.cand.uscourts.gov to determine the next available hearing date.
15 Matters are calendared on a first come first serve basis. You **MUST** submit Chambers Copies
16 (i.e., hard copies) of all motion papers filed in E-FILED cases in order to be placed on calendar.
17 Voluminous exhibits should be placed in binders, with divider tabs.

18 4. **Checking the Calendar Before You Appear:** Before appearing for a matter
19 before this Court all parties shall check the court's calendar at www.cand.uscourts.gov to confirm
20 that their matters are still on calendar.

21 5. **Meet and Confer Requirement:** All parties are expected to meet and confer
22 before filing any motion before the Court. The motion and any other non-stipulated request shall
23 include a certification, which may be included in the body of the document, that the parties have
24 complied with the meet and confer requirement. The Court may disregard any papers submitted
25 that do not comply with this rule.

26 6. **Summary Judgment/Partial Summary Judgment:** The parties are not required
27 to file statements of undisputed facts in connection with a motion for summary judgment.
28 However, if the parties desire to file a statement of undisputed facts, only one joint statement of
undisputed facts signed by all parties shall be filed. All separate statements will be stricken. If the
parties are unable to agree that a fact is undisputed, they should assume that fact is in dispute.

7. **Proposed Orders:** Each party filing or opposing a motion shall also serve and file
a proposed order which sets forth the relief of action which includes that the party requests the
Court to adopt, a short statement of the rationale of decision including citation to authority.

8. **Effect of Failing to Oppose a Motion:** The failure of the opposing party to
timely file a memorandum of points and authorities in opposition to any motion or request shall
constitute a consent to the granting of the motion.

9. **Criminal Schedule:** Criminal Law and Motion will be held on Tuesdays at 9:00
a.m. Prior to a plea being entered in a criminal case, a copy of the plea agreement must be
submitted to chambers no later than the Friday before the plea is to be taken. All persons
pleading guilty must complete an application for permission to enter plea of guilty, which is
available on the Court's website at www.cand.uscourts.gov.

10. **Courtesy Copies in e-Filing Cases:** When filing papers in connection with any
motion or case management conference, the parties shall, in addition to filing papers
electronically, lodge with the Clerk's Office a printed copy of the papers by the close of business

1 the following day the papers are filed electronically. These printed copies shall be marked
2 "Chambers Copy" and shall be submitted to the Clerk's Office, in an envelope clearly marked
3 with the judge's name, case number and "E-Filing Chambers Copy." Parties shall not file a paper
4 copy of any other document with the Clerk's Office that has already been filed electronically. You
5 MUST submit a hard copy of all motion papers filed in E-FILED cases in order to be placed on
6 calendar.

OTHER REQUIREMENTS

7 In addition to the requirements set forth in the Civil L.R. 16-10, counsel are expected to
8 comply with the following:

A. Filing Case Management Conference Statements

9 Counsel are expected to comply with this Standing Order concerning the joint filing of the
10 Case Management Statement. In preparing the Case Management Statement, the parties shall use
11 the Standing Order for all Judges of the Northern District of California provided herewith. Note
12 that no party may submit a separate Case Management Statement. Disagreements among parties
13 with respect to any of the matters contained in the Case Management Statement shall be set forth
14 in the appropriate sections.

15 Counsel are further expected to file a Case Management Statement at least ten (10) days
16 before each and every scheduled Case Management Conference. If there is no change in the
17 status of the case from the time the last statement was filed, counsel shall indicate as such in a
18 pleading and attach a copy of the most recently filed Case Management Statement to the
19 pleading. Failure to timely file a Case Management Statement may result in sanctions.

B. Appearance at the Case Management Conference

20 Each party shall be represented at the Case Management Conference by Counsel prepared
21 to address all of the matters referred to in this and the Civil L.R. 16-10(b), and with authority to
22 enter into stipulations and make admissions pursuant to this and Fed. R. Civ. P. 16(a) and (c).
23 Representatives of the parties may, but are not required to, attend. Unless otherwise specified, all
24 Case Management Conferences shall take place via telephone. Plaintiff or his/her counsel is
25 responsible for setting up the conference call. Plaintiff or his/her counsel will be notified of the
26 date and time of the telephone conference call by Clerk's Notice shortly after the case is filed.

27 Any request to reschedule the above dates shall be made in compliance with Civil L.R.
28 16-2(e) and must be made at least ten days prior to the date sought to be modified. A request to
continue a Case Management Conference shall be made in a separately-filed request, separate
from the Case Management Conference Statement. Counsel shall not contact the chambers of
Judge Armstrong regarding requests to modify provisions of this Standing Order; all requests
must be submitted in writing and served on all parties to the action.

The parties should be prepared to address and resolve at the Case Management
Conference the following: Setting the date and the estimated length of the trial; setting the
deadline for joining parties and amending the pleadings; setting the date for discovery and motion
cutoff; setting the date to designate experts and other witnesses; setting the date for the pretrial
Conference.

Other matters which the Court will take up at the Case Management Conference, in
addition to those specified in the Joint Case Management Statement and Proposed Order Form,
will include the following:

1. **Jurisdiction:** Does this Court have subject matter jurisdiction over all of

1 the plaintiff's claim(s) and defendant's counter-claim(s)? What is the basis of such jurisdiction?
2 Are all the parties subject to the Court's jurisdiction? Do any parties remain to be served?

3 2. **Substance of the Action:** What are the factual and legal bases for
4 plaintiff's claims, defendant's defenses, defendant's counter-claims and plaintiff's defenses to the
5 counterclaims?

6 3. **Identification of Issues:** What are the factual and legal issues genuinely in
7 dispute?

8 4. **Narrowing of Issues:** What are the issues that can be narrowed by
9 agreement or by motions? Are there dispositive or partially dispositive issues appropriate for a
10 decision by motion?

11 5. **Motions:** What are the motion(s) anticipated by the parties?

12 6. **Relief:** What relief does the plaintiff seek? What is the amount of
13 damages sought by plaintiff's claim(s)? What is the amount of damages sought by defendant's
14 counter-claim(s)? How are the damages computed?

15 7. **Discovery:** What discovery does each party intend to pursue? Can
16 discovery be limited in any manner? Are there any alternative methods available to obtain the
17 necessary information? Should a discovery order and conference be entered pursuant to Fed. R.
18 Civ. P. 26(f)?

19 8. **Alternative Means of Disposition:** Is the case suitable for reference to
20 binding arbitration, to a master, or to a magistrate for trial? Is the case suitable for reference to
21 the Judicial Panel on Multidistrict Litigation?

22 9. **Pretrial Conference and Trial Setting:** Will this case be tried by a jury?
23 What is the anticipated length of trial? Is it possible to reduce the length of the trial by
24 stipulation, use of summaries or statements, or other expedited means of presenting evidence? Is
25 it feasible and desirable to bifurcate issues for trial?

26 10. **Related Cases:** Are there any related cases pending before the judges of
27 this Court? See Civil L.R. 3-12.

28 11. **Cut-Off Dates:** When are the earliest reasonable dates for amendment to
the pleadings, discovery cutoff, motion cutoff, pretrial conference and trial?

12. **Settlement:** What are the prospects for settlement? Does any party wish
to have a settlement conference with a magistrate? How can settlement efforts be assisted? See
ADR L.R. 7-3.

13. **Other Matters:** Such other matters as any party considers conducive to
the just, speedy and inexpensive determination of this action. See Fed.R.Civ.P. 16(a) and (c).

C. Law and Motion Matters

Law and Motion matters will be heard on Tuesdays at 1:00 p.m., in Courtroom 1 of the
United States Courthouse, 1301 Clay Street, 4th Floor, Oakland, California. Pursuant to Civil
Local Rule 7-1, 7-2 and 7-3, all civil motions shall be noticed for a hearing not less than
thirty-five (35) calendar days after service. The opposition and supporting papers shall be filed
not less than twenty-one (21) days before the noticed hearing date. The reply shall be filed not
less than fourteen (14) days before the hearing date. Each party filing or opposing a motion shall

1 also serve and file a proposed order which sets forth the relief sought and a short statement of the
2 rationale of decision, including citation of authority, that the party requests the Court to adopt. **All**
3 **parties are required to meet and confer before filing any motion with this court, and to**
4 **certify that they have complied with this requirement.**

5 Note that pursuant to Fed.R.Civ.P. 78(b) and Civil L.R. 7-1(b), the Court may, in its
6 discretion, adjudicate motions without oral argument.

7 Opening and opposition briefs exceeding twenty-five (25) pages and reply briefs
8 exceeding fifteen (15) pages may be filed only with leave of the Court seven (7) days before the
9 filing date of the motion. See Civil L.R. 7-4(b).

10 Any pleading or brief sought to be filed with the Court after the required time, or in an
11 improper manner or form, shall not be received or considered by the Court. Any attorney in
12 violation of such requirements will be subject to other sanctions. Civil L.R. 1-4.

13 **The failure of the opposing party to file a memorandum of points and authorities in**
14 **opposition to any motion shall constitute a consent to the granting of the motion.**

15 The parties are not required to file a statement of undisputed facts in connection with a
16 motion for summary judgment/partial summary judgment. However, if the parties desire to file a
17 statement of undisputed facts, only one joint statement of undisputed facts signed by all parties
18 shall be filed. All separate statements will be stricken. If the parties are unable to agree that a fact
19 is undisputed, they should assume that fact is in dispute.

20 The parties need not reserve hearing dates. However, the parties are advised to check the
21 court's calendar at www.cand.uscourts.gov for the next available hearing date. Matters are
22 calendared on a first come first serve basis. You must submit a hard copy of all motion papers
23 filed in E-FILED cases in order to be placed on calendar.

24 Failure to comply with this Order or the Local Rules of this Court may result in sanctions.
25 See Fed.R.Civ.P. 16(f); Civil L.R. 1-4.

26 
27 SAUNDRA BROWN ARMSTRONG
28 United States District Judge

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

4 CHAFFEE et al,

5 Plaintiff,

6 v.

7 SAN FRANCISCO LIBRARY
8 COMMISSION et al,

9 Defendant.

Case Number: CV10-04521 SBA

CERTIFICATE OF SERVICE

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

12 That on January 13, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said
13 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing
14 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery
15 receptacle located in the Clerk's office.

16 James Chaffee
17 63 Stoneybrook Avenue
18 San Francisco, CA 94112

19 Dated: January 13, 2011

Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk