

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**United States District Court**  
For the Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ORACLE AMERICA, INC.,  
Plaintiff(s),  
v.  
MYRIAD GROUP AG,  
Defendant(s).

No. C-10-05604 SBA (DMR)

**NOTICE OF REFERENCE AND ORDER  
RE MOTION PROCEDURES**

TO ALL PARTIES AND COUNSEL OF RECORD:

The above matter has been referred to Magistrate Judge Donna M. Ryu for a Report and Recommendation on Myriad Group A.G.’s (“Myriad”) motion to strike and request for sanctions (Docket No. 142). Please be advised that the noticed date for the motion filed before the District Court prior to this referral is no longer in effect. A hearing will be re-set on the motion if necessary.

In its motion to strike, Myriad asks the court to strike Oracle America, Inc.’s (“Oracle”) April 1, 2014 motion for temporary restraining order (Docket No. 138) and related administrative motion to file under seal documents and portions of the motion for temporary restraining order (Docket No. 137). Given that Oracle has since withdrawn the motion for temporary restraining order and its related documents (*see* Docket No. 155) and it is no longer pending before the court, the court finds good cause to lock these disputed documents pending resolution of Myriad’s motion. Therefore, the Clerk is directed to lock Docket Nos. 137 and 138 until further notice by the court.

1 1. Parties shall comply with the procedures in this order, the Federal Rules of Civil  
2 Procedure, and the Northern District of California’s Local Rules, General Orders, and Standing  
3 Orders. Local rules, general orders, standing orders, and instructions for using the Court’s Electronic  
4 Case Filing system are available at <http://www.cand.uscourts.gov>. Failure to comply with any of the  
5 rules or orders may be a ground for sanctions.

6  
7 **LAW AND MOTION PROCEDURES**

8 2. Civil motions are heard on the second and fourth Thursdays of the month at 11:00  
9 a.m. Civil case management conferences are heard on Wednesdays at 1:30 p.m. Civil pretrial  
10 conferences are heard on Wednesdays at 3:00 p.m. Parties must notice motions (other than  
11 discovery motions) pursuant to the local rules. Parties need not reserve a hearing date, but should  
12 confirm the court’s availability at <http://www.cand.uscourts.gov>. The court may reset hearing dates  
13 as the court’s calendar requires. For scheduling questions, please call Judge Ryu’s courtroom  
14 deputy, Ivy Garcia, at (510) 637-3639.

15 3. All filings of documents relating to motions referred to Magistrate Judge Ryu shall  
16 list the civil case number and the district court judge’s initials followed by the designation “(DMR).”

17 4. The court has found that it is often efficient and beneficial for the parties if counsel  
18 appear *in person at hearings*. For this reason, the court expects counsel to appear in person, unless  
19 they make a prior application showing good cause as to why the court should permit a telephonic  
20 appearance. Permission for a party to attend by telephone may be granted, in the court’s discretion,  
21 upon written request made at least one week in advance of the hearing, if the court determines that  
22 good cause exists to excuse personal attendance, and that personal attendance is not needed in order  
23 to have an effective hearing. The facts establishing good cause must be set forth in the request.

24  
25 **CHAMBERS COPIES AND PROPOSED ORDERS**

26 5. Pursuant to Civil L.R. 5-1(e)(7) and 5-2(b), parties must lodge an extra paper copy of  
27 certain filings and mark it as a copy for “Chambers.” Please three-hole punch the chambers copy  
28 and submit it to the Oakland Clerk’s Office.

1           6.       Any stipulation or proposed order submitted by an e-filing party shall be submitted  
2 by email to [dmrpo@cand.uscourts.gov](mailto:dmrpo@cand.uscourts.gov) as a word processing attachment on the same day the  
3 document is e-filed. This address should only be used for this stated purpose unless otherwise  
4 directed by the court.

5  
6           IT IS SO ORDERED.

7  
8 Dated: May 14, 2014



---

DONNA M. RYU  
United States Magistrate Judge