

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

PATRICK FERRY, et al.,
Plaintiffs,

v.

DE'LONGHI AMERICA, INC., et al.,
Defendants.

Case No. 16-cv-00659-SBA

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

This action having been reassigned to the Honorable Saundra 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 Telephonic Case Management Conference remain in effect except that the initial Case Management Conference is rescheduled for May 24, 2016, 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) 879-3550. (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: February 26, 2016


SAUNDRA BROWN ARMSTRONG
United States District Judge

STANDING ORDER - GENERAL

Senior U.S. District Judge Saundra Brown Armstrong
Effective May 1, 2015

1. **Conformity to Rules.** Parties shall follow the Federal Rules of Civil Procedure, the Civil Local Rules, and the General Orders of the Northern District of California, except as superseded by these Standing Orders. Any failure to comply with any of the rules and orders may be deemed sufficient grounds for monetary sanctions, dismissal, entry of default judgment, or other appropriate sanctions.

2. **Scheduling Days.**

- a. Criminal law and Motion calendar is held on the second Wednesday of each month, beginning at 10:00 a.m. Hearings in criminal matters will take place at the U.S. District Court located at 1301 Clay St., Oakland, California. Please consult the calendar for the assigned courtroom.
- b. Civil law and motion calendar is held on the second Wednesday of each month, beginning at 1:00 p.m. Hearings in civil matters will take place at the U.S. District Court located at 1300 Clay St., Courtroom 210, Second Floor, Oakland, California. Please consult the calendar for the assigned courtroom.
- c. Civil case management conferences are conducted telephonically, and are held on Wednesdays and Thursdays, beginning at 2:30 p.m.
- d. Trial days are Monday, Tuesday, Thursday and Friday, from 8:30 a.m. to 2:30 p.m.

3. **Guilty Pleas:** 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.

4. **Meet and Confer Requirement.** All parties *shall* meet and confer before filing any motion or other non-stipulated request. Any motion or request shall include a certification, which may be submitted separately or included in the body of the document, that the parties have complied with the meet and confer requirement. The Court may disregard and/or strike any papers submitted that do not comply with this rule.

5. **Civil Motion Hearing Dates:** The Court does not reserve hearing dates. Parties are directed to review the Court's calendar at www.cand.uscourts.gov to determine the next available hearing date. Motions may be reset as the Court's calendar requires, or may be taken under submission without a hearing. Parties are advised to check the Court's website to confirm whether their matter is on calendar.

6. **Page Limits:** All noticed civil motions (other than motions for summary judgment) and any opposition thereto, shall not exceed *fifteen (15) pages* in length, exclusive of the table of contents, table of authorities, exhibits and declarations, if required. Reply briefs may not exceed *ten (10) pages* in length. Motions for summary judgment are subject to the page limits set forth in Civil Local Rule 7.

7. **Summary Judgment Motions:** Parties are limited to filing one motion for summary judgment. Any party wishing to exceed this limit must request leave of Court. Separate

statements of undisputed facts will not be considered. Joint statements of undisputed facts are not required, but are helpful if agreed upon.

8. **Failure to File Opposition:** The failure of the opposing party to file a response to any motion or request may be construed as a consent to the granting of the relief sought in the motion or request.

9. **Non-Compliant Papers:** Any pleading or brief sought to be filed with the Court after the required time, in an improper manner or form, and/or which is not authorized by the Federal Rules of Civil Procedure, Local Rules or order of this Court, shall not be received or considered and may be stricken. Any attorney in violation of such requirements will be subject to other sanctions. Civil L.R. 1-4.

10. **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.

11. **Case Management Conference Statement.** The *joint* case management statement must be filed one week in advance of the case management conference date. The statement *must* include all elements requested in the “Standing Order for All Judges of the Northern District of California – Contents of Joint Case Management Statement.” See Civ. L.R. 16-9. In cases involving pro se litigants, parties shall attempt to file a joint statement; if after due diligence, an agreement cannot be reached, the parties may file separate case management statements, with each statement not to exceed seven (7) pages. Unless proceeding pro se, each party shall be represented at the case management conference by counsel with full and complete authority to address all of the matters referred to in (a) Federal Rules of Civil Procedure 16(c) and 26(f) and (b) the “Standing Order for All Judges of the Northern District of California –Contents of Joint Case Management Statement.” Counsel must also have full and complete authority to enter stipulations and made admissions.

12. **Chambers Copy.** A copy of all documents filed, whether electronically or manually, shall be submitted to the Clerk’s Office in an envelope clearly marked with the case number and “SBA Chambers Copy” no later than the time prescribed by Civil Local Rule 5-1(e)(7). Exhibits to declarations must be tabbed. Voluminous exhibits shall be submitted in a tabbed and indexed binder.

13. **Discovery Motions.** All discovery disputes will be referred to a Magistrate Judge of this Court.

IT IS SO ORDERED.


SAUNDRA BROWN ARMSTRONG
United States District Judge

Rev. 5/1/15