

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

4 HONORABLE FERN M. SMITH

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6 1. Counsel shall consult and comply with all provisions of the
7 Local Rules relating to continuances, motions, briefs, and
8 other matters, unless superseded by these Standing Orders.
- 9 2. **Counsel must reserve a motion hearing date with the Court.**
10 Notice your motion in accordance with the following times:
11 Case Management Conferences and Civil motions are generally
12 heard on Thursdays at 2:00 p.m. Criminal matters are held
13 Wednesdays at 2:00 p.m. Final Pre-trial Conferences are
14 generally held on Thursdays at 2:00 p.m.
- 15 3. **Summary judgment/adjudication: Only one joint statement of**
16 **undisputed facts, signed by all parties, should be filed.**
17 Statements shall be filed with the opposition. In cases where
18 parties, after meeting and conferring, are in disagreement,
19 moving party shall file a short statement explaining each area
20 of disagreement. Lack of good faith in refusing to accept a
21 fact as undisputed will be grounds for sanctions.
- 22 4. Parties wanting to continue hearings, request special status
23 conferences or make other procedural changes should do so by
24 either signed stipulation and proposed order or, if stipulation
25 is not possible, by a written ex parte application and proposed
26 order. **BRIEFING SCHEDULES MAY NOT BE CHANGED BY STIPULATION.**
27 **ANY CHANGE IN THE HEARING DATE DOES NOT ALTER THE ORIGINAL**
28 **BRIEFING SCHEDULE.** Parties should **NOT** contact the law clerk
or courtroom deputy about these matters by telephone.
5. Parties are reminded that most procedural questions are
answered in the Local Rules or the Standing Orders. If
questions arise that are not answered in the rules, parties
call the Courtroom Deputy. Parties are directed **NOT** to call
chambers.
6. The Court will **not entertain formal motions to compel discovery**
without leave of Court. Discovery disputes should be brought
to the Court's attention by way of letter, not exceeding three
pages in length with copies served on all parties, alerting the
Court to the dispute and suggesting a means for its prompt
resolution. Upon receipt of the letter, the Court will contact
the parties to schedule a telephone conference. In urgent
situations, e.g. during an oral deposition, the parties may
call and orally request a telephone conference.

- 1 7. Joint status conference statements are **REQUIRED** and **MUST** be
2 filed 10 days in advance of the status conference date. The
cover sheet should include the date of the status conference
3 8. Motions in limine shall be filed with the pretrial conference
4 statements.
5 9. In all cases that have been assigned to the ECF Program, the
6 parties are required to provide for use in chambers one paper
7 copy of all motions, oppositions, replies, and supporting
8 documents; and all Pretrial Statements and trial documents
9 called for in this court's Pretrial Order. The paper copy
10 of each such document shall be delivered no later than noon on
the day after the document is filed electronically, or otherwise
11 filed. The paper copy shall be marked "Chambers Copy" and shall
12 be delivered directly to Judge Smith's chambers. Counsel
13 should NOT deliver the copy to the Clerk's Office. Chambers
14 copies of documents shall be submitted on three hole punched
15 paper.

16 SO ORDERED.

17 Dated: February ____, 2004

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19 FERN M. SMITH
20 United States District Judge
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