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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**STANDING ORDER FOR CIVIL CASES BEFORE
DISTRICT JUDGE HAYWOOD S. GILLIAM, JR.**

CONFORMITY TO RULES

1. Parties and counsel 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of Civil Procedure, the Civil Local Rules, and the General Orders of the Northern District of California, except as superseded by this Court’s standing orders.

SERVICE OF STANDING ORDER

2. Plaintiff (or in the case of removed cases, any removing defendant) shall promptly serve copies of this standing order upon all parties to the action, and upon those subsequently joined, in accordance with the provisions of Federal Rules of Civil Procedure 4 and 5. Following service, the responsible party shall file a certificate of service with the Clerk of this Court.

COMMUNICATION WITH THE COURT

3. Counsel shall not attempt to contact Judge Gilliam or his chambers staff by telephone, email, or any other *ex parte* means, but may contact his Courtroom Deputy, Nikki Riley, at (510) 637-3543 regarding scheduling or other appropriate matters.

SCHEDULING

4. All in-person hearings and appearances will be held in Courtroom 2 on the 4th Floor of the United States Courthouse, 1301 Clay Street, Oakland, California.

5. Civil case management conferences are generally conducted via Public Zoom Webinar on Tuesdays at 2:00 p.m.

6. Civil pretrial conferences are generally conducted in person on Tuesdays at 3:00 p.m.

7. Civil motions are generally heard in person on Thursdays at 2:00 p.m.

1 session. The court form is available at:

2 https://www.cand.uscourts.gov/filelibrary/3389/ADR_Stip_fillable.pdf

3 The default timing for ADR is within 90 days of the initial case management conference. To the
4 extent the parties cannot agree on form or timing, they should explain the dispute in the joint
5 statement and be prepared to discuss it at the initial case management conference.

6 14. In proposing a case schedule, the parties should agree on a trial date and work
7 backward from that date to ensure adequate time for expert discovery, dispositive and *Daubert*
8 motions, class certification motions, and other events. The Court provides the following
9 additional guidance:

- 10 • *Daubert* motions must be filed and heard by the dispositive motion hearing deadline.
- 11 • The parties must allow at least twelve weeks between the proposed dispositive and
12 *Daubert* motions hearing deadline and the proposed final pretrial conference.
- 13 • The parties must also allow at least two weeks between the proposed final pretrial
14 conference and the first day of the proposed trial.

15 The Court's expectation is that many cases can and should be able to be tried within twelve
16 months of the case management conference. Counsel requesting longer pretrial periods must be
17 prepared to justify that request at the initial case management conference.

18 15. Once the Court has entered a case schedule, the parties may not move the dates
19 except by Court order. If the parties seek to move one of these dates, the parties must file a joint
20 statement of no more than three pages proving particularized good cause for the requested change.
21 A trial date typically will be set at the initial case management conference. Once set, the trial date
22 will not be continued absent compelling good cause.

23 16. The attorney appearing at a case management conference must have full authority
24 to make decisions about any issue that may come up during the conference.

25 **REMOTE APPEARANCES**

26 17. Aside from civil case management conferences, which are generally conducted via
27 Public Zoom Webinar, attorneys may not appear remotely absent a showing of good cause. In
28 general, any attorney who wishes to argue at a motion hearing may not appear remotely. Parties

1 must file any request to appear remotely at least one week in advance of the hearing.

2 **DISCOVERY DISPUTES**

3 18. Discovery disputes should be brought to the Court’s attention as early as possible.
4 If the parties cannot resolve their discovery dispute after a good faith effort, they shall prepare and
5 file a joint letter of no longer than five pages stating the nature and status of their dispute. As soon
6 as a discovery-related matter arises, the Court may refer the case to a Magistrate Judge to handle
7 all discovery disputes. After a Magistrate Judge has been assigned to a case for discovery, the
8 parties in that case must handle any discovery matters according to the procedures set by that
9 Judge.

10 19. The parties must allow sufficient time for the assigned Magistrate Judge to resolve
11 discovery disputes before the close of discovery. Absent truly compelling reasons, the Court will
12 not extend case deadlines based on a pending discovery dispute.

13 **MOTIONS FOR SUMMARY JUDGMENT**

14 20. Parties are limited to filing one motion for summary judgment. Any party wishing
15 to exceed this limit must request leave of Court and must show good cause.

16 21. Joint statements of undisputed facts are not required but are helpful if completely
17 agreed upon. Separate statements of undisputed facts may not be filed.

18 **EXHIBITS**

19 22. Where each party relies on the same exhibit, the later-filing party should cite to the
20 earlier-filed exhibit and should not file a duplicate exhibit. If possible, the parties should meet and
21 confer prior to filing a motion and submit a joint appendix of evidence.

22 **CITATIONS**

23 23. If either party cites to an unpublished case, the Court generally prefers Westlaw
24 citations. If the Westlaw citation cannot be provided, the party should include the case number,
25 court name, and exact date of publication in the citation.

26 **PROPOSED ORDERS**

27 24. Proposed orders shall be submitted in Word format by email to
28 HSGpo@cand.uscourts.gov on the same day the proposed order is e-filed.

FILING AND COURTESY COPIES

25. Each PDF document should be text-searchable whenever practicable. This requirement is waived for litigants proceeding pro se.

26. Paper courtesy copies shall not be submitted unless the Court requests them. The Court may at times order the parties to provide digital courtesy copies of motions filings, including supporting documents, on portable media (e.g., a CD or flash drive).

MOTIONS TO SEAL

27. Any party seeking to file a document under seal must carefully review and comply with Civil Local Rule 79-5, except as that Rule is modified here for civil cases before Judge Gilliam.

28. When submitting a motion to seal, the filing party must state whether the compelling reasons or good cause standard applies and explain why. *See Kamakana v. City and Cnty. of Honolulu*, 447 F.3d 1172, 1178-82 (9th Cir. 2006).

29. The filing party must make a specific showing explaining why each document that it seeks to seal may justifiably be sealed and why the proposed redactions are as narrowly tailored as possible, rather than making blanket statements about the grounds for sealing. Generic and vague references to “competitive harm” are almost always insufficient justification for sealing.

30. Any proposed order under Civil Local Rule 79-5(c)(3) must include in the table for each item sought to be sealed: (1) the docket numbers of the public and provisionally sealed versions of documents sought to be filed under seal; (2) the name of the document; (3) the specific portion(s) of the document sought to be filed under seal; and (4) the filer’s reasons for seeking sealing of the material, along with citations to the relevant declarations and any supporting legal authority.

31. Parties may use the following format as a guide:


Docket No. Public/ (Sealed)	Document	Portion(s) Sought to be Sealed	Evidence Offered in Support of Sealing	Ruling
Dkt. No. ___ / (Dkt. No. ___)	Defendant’s Motion for Summary Judgment	p. 7, ll. 19–28	Smith Declaration at ¶ 2	

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32. Any declaration by a Designating Party under Civil Local Rule 79-5(f)(3) must include a new proposed order in the tabular format required by Civil Local Rule 79-5(c)(3) that includes the Designating Party’s reasons for sealing the material. In addition, any declaration by a Designating Party under Civil Local Rule 79-5(c)(3) that seeks less extensive sealing than its associated administrative motions to seal must be accompanied by revised redacted and unredacted versions of the documents sought to be sealed that comply with the requirements of Civil Local Rule 79-5(d) and (e), including the requirement that the portions sought to be sealed must be clearly marked on the unredacted version.

IT IS SO ORDERED.

Dated: July 9, 2024


HAYWOOD S. GILLIAM, JR.
United States District Judge