

Rev. (05/24)

1 JUDGE ILLSTON'S STANDING ORDER

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3 1. Scheduling Days:

4 Civil Law and Motion Calendar is conducted on Fridays at 10:00 a.m.

5 Criminal Law and Motion Calendar is conducted on Fridays at 11:00 a.m.

6 Civil Case Management Conferences are generally conducted on Fridays at 2:30 p.m. with the
7 order of call determined by the Court. Initial and further CMCs will take place over Zoom. A
8 clerk's notice will be issued with the login and registration information within a week of the CMC.

9 Pretrial Conferences are generally conducted on Tuesday afternoons at 3:30 p.m.

10 Counsel need not reserve motion hearing dates but may call the Courtroom Deputy to obtain
11 the next available law and motion calendar. Motions may be reset as the Court's calendar requires.

12 All parties are directed to comply with the Civil Local Rules except as identified in this Order.

13 **Parties MUST NOT set hearing dates on days where the Court has indicated dates are**
14 **closed for further settings. Before setting a hearing, parties MUST check the Court's**
15 **scheduling notes where dates closed for further settings are listed.**

16 (<https://apps.cand.uscourts.gov/CEO/cfd.aspx?7133#Notes>)

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18 2. Sentencing Memorandum and/or Request to Continue Sentencing:

19 Counsel must comply with Crim. L.R. 32-5 (b) and (c). **The sentencing memorandum must**
20 **be filed no later than 7 days prior to the date set for sentencing** and any response must be filed
21 no later than 3 days prior to the date set for sentencing. In the event counsel determines that no
22 sentencing memorandum is necessary, a notice indicating such must be filed no later than 7 days
23 prior to the date set for sentencing. **Any request to continue a date set for sentence must be**
24 **filed no later than 7 days prior to the scheduled date.**

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26 3. Discovery Disputes:

27 The parties shall meet and confer in person, or, if counsel are located outside the Bay Area, by
28 telephone, to attempt to resolve their dispute informally. A mere exchange of letters, e-mails,

1 telephone calls, or facsimile transmissions does not satisfy the requirement to meet and confer. If,
2 after a good faith effort, the parties have not resolved their dispute, they shall prepare a concise
3 joint statement of 5 pages or less, stating the nature and status of their dispute. Absent an order of
4 this Court, parties shall not file affidavits or exhibits, other than copies of the written requests for
5 discovery and the answers or objections thereto.

6 If a joint statement is not possible, each side may submit a brief individual statement of 2
7 pages or less. The joint statement or individual statements shall be filed or e-filed, if in an e-filing
8 case, and courtesy copies submitted as provided in this Standing Order.

9 The Court will advise the parties regarding the need, if any, for more formal briefing or a
10 hearing, pursuant to Civil Local Rule 7-1(b).

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12 4. Paper Courtesy Copies: *This requirement does not apply to self-represented litigants. If*
13 *you are representing yourself, you do not need to mail paper courtesy copies to the Court.*

14 Notwithstanding Civil Local Rule 5-1(d)(7), one set of paper courtesy copies (“chambers
15 copies”) is required for the briefing on **motions (civil or criminal) and sentencings (criminal),**
16 **and case management statements (civil)**; two sets of paper courtesy copies are required for
17 **pretrial conference filings (civil or criminal)**; and upon request of the Court. Courtesy copies
18 must be unstapled and three-hole punched at the left margin (not in binders). All courtesy copies
19 must bear the ECF stamp (case number, document number, date and page number) on the top of
20 each page. Courtesy copies shall be delivered to the Clerk’s Office no later than noon 2 days after
21 filing of the document. (E.g., courtesy copies due at noon on Tuesday for papers filed the Friday
22 prior.)

23 For motions to seal, the parties shall refer to the specific instructions regarding courtesy copies
24 contained in Section 9(c) of Judge Illston’s Standing Order.

25 Please direct any questions regarding courtesy copies to sicrd@cand.uscourts.gov.

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27 5. Summary Judgment Motions:

28 Parties are limited to filing one motion for summary judgment. Any party wishing to exceed

1 this limit must request leave of Court.

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3 6. Courtroom Technology Information:

4 All parties are instructed to review the information regarding the use of courtroom technology
5 and electronic evidence presentation (EEPS) which is provided on the Court’s web site at
6 <http://cand.uscourts.gov/courtroomtech>, and to prepare accordingly. Questions and/or requests to
7 pre-test equipment should be sent to the Courtroom Deputy.

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9 7. Requests to Appear Telephonically:

10 Telephonic Appearances for court hearings are permitted without the need of filing a formal
11 request or motion. Counsel shall contact the Courtroom Deputy at SICRD@cand.uscourts.gov or
12 (415) 522-2028 to obtain further instructions.

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14 8. Skills Development:

15 The Court welcomes and encourages oral argument by less-experienced attorneys on any
16 matters argued before the Court.

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18 9. Filing Documents Under Seal in Civil Cases:

19 Motions to seal shall be filed in accordance with Civil Local Rule 79-5. Failure to follow the
20 local rules may result in summary denial of the motion.

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22 a. Designating Information as Confidential:

23 Before designating any specific information “Confidential” or “Confidential-Attorneys’
24 Eyes Only,” the designating party’s counsel shall make a good faith determination that the
25 information warrants protection under Rule 26(c) of the Federal Rules of Civil Procedure. The
26 burden of establishing confidentiality shall be on the designating party.

27 Before seeking to file under seal a document or portion of a document that another party
28 has designated as “Confidential” or “Confidential-Attorneys’ Eyes Only,” counsel shall review the

1 document. If in counsel’s good faith judgment portions or all of the document have been
 2 unnecessarily designated as confidential or no longer require confidential treatment, counsel shall
 3 meet and confer with counsel for the designating party to attempt to resolve the issue.

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 5 b. Declarations in Support:

6 The declaration in support of sealing or in support of redaction must make a specific
 7 showing explaining why the document or excerpt sought to be sealed may justifiably be sealed,
 8 rather than making a blanket statement about the grounds for sealing or redaction. The declaration
 9 must state whether the “compelling reasons” or “good cause” standard applies and why. *See Ctr.*
 10 *for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1099, 1101 (9th Cir. 2016).

11 c. Courtesy Copies:

12 For documents submitted in connection with administrative motions to seal, parties shall
 13 provide courtesy copies of the unredacted documents with proposed redacted material highlighted,
 14 as required by Civil Local Rule 79-5(d)(2). Do not submit courtesy copies of the redacted versions
 15 of documents sought to be sealed.

16 To the extent that filings include both sealed and non-sealed materials, courtesy copies
 17 should include all material, including the unredacted version of proposed sealed material
 18 integrated with the non-sealed material. For instance, a courtesy copy of a declaration in which the
 19 parties sought to seal Exhibit 2 would contain: the declaration; Exhibit 1; unredacted version of
 20 Exhibit 2 with proposed redacted material highlighted; Exhibit 3; etc.

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 22 d. Proposed Orders:

23 Proposed Orders on administrative motions to seal must conform to the following format:

Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Order
Motion at page 2, Lines 10 – 11	Jones Declaration ¶ 1	
Motion at page 5, Lines 4-7	Jones Declaration ¶ 2	

27 When a designating party files a declaration in support of another party’s motion to seal,
 28 and the designating party narrows the submitting party’s original sealing request, the designating

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party shall submit a new proposed order consistent with the narrowed request.

10. Class Actions:

Parties MUST comply with the Northern District’s Guidelines for Procedural Guidance for Class Action Settlements.

IT IS SO ORDERED.

Dated: May 31, 2024



SUSAN ILLSTON
United States District Judge