

**CIVIL SCHEDULING AND DISCOVERY STANDING ORDER
MAGISTRATE JUDGE SUSAN van KEULEN**

LOCATION

All matters will be heard in Courtroom 6, 4th Floor, San Jose Federal Courthouse.

SCHEDULING

Civil case management conferences are held on Tuesdays at 9:30 a.m.

Civil motions are heard on Tuesdays at 10:00 a.m.

Civil pretrial conferences are held on Thursdays at 9:30 a.m.

Parties are not required to reserve a hearing date but should confirm the Court's availability at <http://www.cand.uscourts.gov>. Hearings and motions may be reset as the Court's calendar requires. For questions regarding scheduling, please contact courtroom deputy Oscar Rivera at 408.535.5378 or Oscar_Rivera@cand.uscourts.gov.

CASES INITIALLY ASSIGNED TO JUDGE VAN KEULEN

In civil cases initially assigned to this Court for all purposes, each party must file written consent to the jurisdiction of a magistrate judge or a written request for reassignment to a district judge as soon as possible but no later than the deadlines specified in Civil Local Rule 73-1(a). If a party files a dispositive motion (such as a motion to dismiss or a motion for remand), the moving party must file the consent or declination simultaneously with the motion.

PROPOSED ORDERS

In all cases subject to e-filing, the parties must email all stipulations and proposed orders in Word format to svkpo@cand.uscourts.gov on the same day they e-file these documents.

DISCOVERY

Discovery disputes referred from a district court judge and those which occur in cases which are assigned to Judge van Keulen for all purposes through consent of the parties shall follow the same procedures as set forth below:

For all discovery disputes, the parties must meet and confer to attempt to resolve the dispute. The meet and confer must be in person or by telephone. A mere exchange of letters, emails, or messages does not satisfy the requirement to meet and confer. If the parties are unable to reach a resolution they must file a joint statement of five pages or less that: (1) states the number of days remaining before the close of fact discovery and/or days until trial; (2) briefly describes each unresolved issue without argument; and (3) states, in a format that easily allows for comparison, each party's proposed compromise with respect to each unresolved issue. Absent prior leave of Court, the only exhibit permitted to the joint statement is a copy of the specific discovery request(s) at issue and the response(s) to it (i.e.: requests for production, interrogatories, privilege log, nonparty subpoena, deposition excerpts, etc.). Each party will also submit a proposed order

with the joint statement in accordance with the above protocol. For all cases, the joint statement must be filed no later than 7 days after the discovery cut-off date(s) pursuant to Civil L.R. 37-3.

The statement(s) must be filed in ECF under the Civil Events category of Motions and Related Filings > Motions: General > Discovery Letter Brief.

Upon review of the statement(s), the Court will advise the parties regarding the need, if any, for more briefing, a hearing, or a telephonic conference.

IT IS SO ORDERED.

January 19, 2017



Susan van Keulen
U.S. Magistrate Judge