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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**STANDING ORDER FOR CIVIL CASES BEFORE
DISTRICT JUDGE TRINA L. THOMPSON**

CONFORMITY TO RULES

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Rules of Civil Procedure, Civil Local Rules, and the General Orders of the Northern District of California, except as superseded by this Court’s standing orders.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

SERVICE OF STANDING ORDER

2. Plaintiff (or in the case of removed cases, any removing defendant) shall promptly serve copies of this standing order and the Standing Order for All Judges of the Northern District of California 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 Thompson or her chambers staff by telephone, email, or any other *ex parte* means, but may contact her Courtroom Deputy, Robert McNamee, at (415) 522-2039 or TLTCRD@cand.uscourts.gov regarding scheduling or other appropriate matters.

SCHEDULING

4. All hearings and appearances will be held in Courtroom 9 on the 19th floor of the United States Courthouse, 450 Golden Gate Avenue, San Francisco, California.

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1 conference, unless otherwise ordered by the court. In cases involving pro se litigants, the parties
2 may file separate case management statements.

3 13. Parties must also review in detail the Northern District’s electronically stored
4 information (“ESI”) guidelines and checklist for Rule 26(f) conferences, which are available at
5 [https://cand.uscourts.gov/rules-forms-fees/northern-district-guidelines/e-discovery-esi-guidelines-
model-stipulated-orders](https://cand.uscourts.gov/rules-forms-fees/northern-district-guidelines/e-discovery-esi-guidelines-model-stipulated-orders). The Court discourages deviation from the ESI guidelines absent good
6 cause. Failure to meet and confer regarding the required topics prior to the initial case management
7 conference, including ESI, may, in the reasonable exercise of the Court’s discretion, result in
8 sanctions or disciplinary action.

9 14. Consistent with Civil Local Rule 16-8(c) and Alternative Dispute Resolution
10 (“ADR”) Local Rule 3-5(b), at least seven calendar days prior to the case management conference,
11 the parties shall also file the Stipulation and Proposed Order form, which identifies the ADR
12 process that the parties have selected and a proposed deadline by which the parties will conduct
13 the ADR session. The court form is available at: [https://cand.uscourts.gov/about-court/court-
programs-services/alternative-dispute-resolution-adr/adr-forms](https://cand.uscourts.gov/about-court/court-programs-services/alternative-dispute-resolution-adr/adr-forms). The default timing for
14 ADR is within 90 days of the initial case management conference. To the extent the parties cannot
15 agree on form or timing, they should explain the dispute in the joint statement and be prepared to
16 discuss it at the initial case management conference.

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

- 21 • *Daubert* motions must be filed and heard by the dispositive motion hearing
22 deadline.
- 23 • The parties must allow at least twelve weeks between the proposed dispositive
24 and *Daubert* motions’ hearing deadline and the proposed final pretrial
25 conference.
- 26 • The parties must also allow at least two weeks between the proposed final
27 pretrial conference and the first day of the proposed trial.

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

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

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

11 18. After reviewing the parties’ case management conference statement, the court may
12 vacate the conference and issue a case management order based on the parties’ statement.

13 **REMOTE APPEARANCES**

14 19. Unless specially set, all initial and further case management conferences will be
15 conducted through Zoom videoconference. Prior to the case management conference, the
16 Courtroom Deputy will publish a notice on the case docket explaining how the conference will be
17 conducted and provide access information for counsel.

18 20. Persons granted remote access to court proceedings by Zoom teleconference or
19 telephone are strictly prohibited from photographing, including “screen-shots,” recording, and
20 rebroadcasting the court proceeding. Pursuant to General Order 58, ¶ III, violation of these
21 prohibitions may result in sanctions, including removal of court-issued media credentials,
22 restricted entry to future hearings, or any other sanctions deemed necessary by the court.

23 **DISCOVERY DISPUTES**

24 21. Discovery disputes should be brought to the Court’s attention as early as possible.
25 If the parties cannot resolve their discovery dispute after a good faith effort, they shall prepare and
26 file a joint letter of no longer than five pages stating the nature and status of their dispute. As soon
27 as a discovery-related matter arises, the Court may refer the case to a Magistrate Judge to handle
28 all discovery disputes. After a Magistrate Judge has been assigned to a case for discovery, the

1 parties in that case must handle any discovery matters according to the procedures set by that
2 Judge.

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

6 **MOTIONS FOR SUMMARY JUDGMENT**

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

9 24. Motions for summary judgment must comply with Civil Local Rule 7 in all
10 respects.

11 25. Joint statements of undisputed facts are not required but are helpful if completely
12 agreed upon. Separate statements of undisputed facts may not be filed.

13 26. The Court strongly encourages parties to permit less experienced lawyers,
14 including lawyers from historically under-represented groups, to actively participate in the
15 proceedings by presenting argument at motion hearings or examining witnesses at trial. The Court
16 is amenable to permitting a number of lawyers to argue for one party if this creates an opportunity
17 for such attorneys to participate.

18 **EXHIBITS**

19 27. 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 28. 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 29. Proposed orders shall be submitted in Word format by email to the Courtroom
28 Deputy at TLTPO@cand.uscourts.gov on the same day the proposed order is e-filed.

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FILING AND COURTESY COPIES

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

31. Digital courtesy copies of motions filings, including supporting documents, shall be submitted to the Court on portable media (e.g., a flash drive or CD).

MOTIONS TO SEAL

32. 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 Thompson.

33. 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).

34. 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.

35. 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.

36. 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 Judgement	p. 7, 11. 19–28	Smith Declaration at ¶ 2	

37. 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

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

7 **IT IS SO ORDERED.**

8 Dated: August 26, 2022

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10 **TRINA L. THOMPSON**
11 United States District Judge

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