

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

**STANDING ORDER FOR CIVIL CASES BEFORE
MAGISTRATE JUDGE KANDIS A. WESTMORE**

(Revised December 19, 2025)

Parties shall comply with the procedures in the Federal Rules of Civil Procedure, the Northern District of California's Local Rules and General Orders, and this standing order, all of which are available at <https://cand.uscourts.gov/>. The parties' failure to comply with any of the rules or orders may be grounds for monetary sanctions, dismissal, entry of judgment, or other appropriate sanctions.

CALENDAR DATES AND SCHEDULING

1. Civil motions are also heard on the first and third Thursdays of the month at 1:30 p.m. Civil case management and status conferences are heard on Tuesdays at 1:30 p.m. Civil pretrial conferences are heard on Wednesdays at 2:00 p.m.

2. Parties should notice motions (other than discovery motions) pursuant to Civil Local Rule 7-2. Parties need not reserve a hearing date but should confirm the Court's availability at <https://cand.uscourts.gov/judges/kaw/westmore-kandis-a> by consulting Judge Westmore's scheduling notes. The Court may reset hearing dates as the Court's calendar requires. For scheduling questions, please contact Judge Westmore's courtroom deputy at (510) 637-3525 or via e-mail at kawcrd@cand.uscourts.gov.

ALL REQUESTS MUST BE IN WRITING

3. The Court does not grant relief over the telephone or via e-mail. All requests for relief must be filed in accordance with the local rules. Do not contact the courtroom deputy or chambers to seek relief or legal advice, including information pertaining to the local rules.

CONSENT CASES

4. In civil cases randomly assigned to Judge Westmore for all purposes, the parties should file their written consent to the assignment of a United States Magistrate Judge for all purposes or their written declination of consent *as soon as possible*, and in no event later than the deadlines specified in Civil L.R. 73-1(a).

ECF FILINGS

5. All ECF filings shall comply with the following requirements.

(a) All citations to legal authority or exhibits must include pincites.

- (b) All exhibits to motions and/or discovery disputes must be legible and word-searchable.
- (c) Parties shall **not** include entire deposition transcripts as exhibits to their filings unless necessary. Parties shall instead provide only the relevant excerpts and a copy of the reporter's certification.
- (d) For motions to file under seal, the parties are reminded that court proceedings are presumptively public, and no document shall be filed under seal without request for a court order that is narrowly tailored to cover only the document, the particular portion of the document, or category of documents that is sealable under the governing legal standard. If a party wishes to file a document under seal, that party shall first file an administrative motion to seal in accordance with L.R. 79-5.
- (e) If a party files a motion for leave to amend a pleading, it must file as an attachment a redline comparison of the proposed amended pleading against the last pleading.
- (f) For motions for preliminary approval of a class action settlement, the parties should consult the Northern District's Procedural Guidance for Class Action Settlements and must file Post-Distribution Accounting Reports in accordance with the Guidance. See <https://cand.uscourts.gov/rules-forms-fees/northern-district-guidelines/procedural-guidance-class-action-settlements>.

CHAMBERS COPIES AND PROPOSED ORDERS

6. Chambers hard copies are required for all formal motions, joint discovery letters, and motions to seal. The Court may request chambers copies of other filings as needed.

- (a) Chambers copies must be received within 3 days of filing or the Court's request.
- (b) All chambers copies of e-filed documents shall bear the ECF filing "stamp" (case number, docket number, date, and ECF page number) along the top of each page.
- (c) Chambers copies shall be marked "Chambers Copy" and submitted to the Oakland Clerk's Office in an envelope clearly marked "Magistrate Judge Kandis Westmore" with the case number on the envelope.
- (d) All exhibits must be clearly marked and individually tabbed.
- (e) E-filed documents must be cited in all other documents as follows: Dkt. No. ___ at ____.

- (f) For filings that are no more than 100 pages, chambers copies must be stapled or attached by brads; binder clips, paperclips, rubber bands, or similar fastenings are not adequate. If the filing is more than 100 pages, the chambers copies must be three-hole punched along the left side of the page.
- (g) For motions to seal, the parties need only provide a courtesy copy of the **unredacted version** of the document sought to be filed under seal. The unredacted version must indicate, by highlighting or other clear method, the portions of the document that have been omitted from the redacted version, and prominently display the notation “UNREDACTED VERSION OF DOCUMENT(S) SOUGHT TO BE SEALED.” The unredacted copy must be presented in the same form as if no sealing order was being sought. In other words, if a party is seeking to file under seal one or more exhibits to a declaration, or portions thereof, the chambers copy should include the declaration with both exhibits that require no redaction and the exhibits that require redaction.
- (h) For any briefings that rely on more than ten exhibits or 100 pages of exhibits, the party shall e-mail an electronic copy to kawpo@cand.uscourts.gov. The supporting document (*e.g.*, a declaration or request for judicial notice) and exhibits thereto shall be in a single PDF, which shall be legible and word-searchable and have each exhibit bookmarked so that a user can easily navigate through each exhibit. Each PDF should only include one supporting document and its attached exhibits.

7. Proposed orders filed by an e-filing party shall be submitted in Word format (.doc or .docx) via e-mail to kawpo@cand.uscourts.gov on the same day the document is e-filed. This requirement also applies to stipulations that require court approval, which must include a proposed order on the face of the stipulation. This e-mail address should only be used for this stated purpose unless otherwise directed by the Court.

- (a) Any party filing a dispositive motion shall also e-mail a copy of the motion in Word format (.doc or .docx) to kawpo@cand.uscourts.gov. This is in addition to the lodged, chambers copy.

CIVIL CASE MANAGEMENT

8. No later than seven (7) days prior to the any scheduled case management or status conference, the parties shall file a Joint Case Management Statement in full compliance with the Northern District of California’s General Standing Order for civil cases entitled

“Contents of Joint Case Management Statement.” The parties shall appropriately caption their filing to read: “Initial Joint Case Management Statement” or “Further Joint Case Management Statement” as appropriate. The parties are required to file a complete case management statement for every case management conference, and they are not permitted to file abbreviated statements.

- (a) At the end of the case management statement, the parties shall include a section as to whether the parties consent to magistrate judge jurisdiction if consents were not previously filed.

9. Parties may not stipulate to continue a case management, status, or pretrial conference without Court approval. Each party shall be represented at the Case Management Conference by lead trial counsel (or a party if *pro se*), who shall be (1) prepared to address all of the matters referred to in the Northern District of California’s General Standing Order on Joint Case Management Statements; and (2) have full authority to enter stipulations and make admissions pursuant to that order.

- (a) All Case Management Conferences will be held via videoconference unless otherwise ordered. Connection information is available on the Court’s website: <https://cand.uscourts.gov/judges/kaw/westmore-kandis-a>

10. All motion hearings, case management, status and pretrial conferences are recorded. They are not reported by a court reporter unless counsel requests a court reporter in advance.

CIVIL DISCOVERY

11. Parties shall serve disclosures and propound discovery in accordance with Federal Rules of Civil Procedure 26 through 37 and the corresponding Civil Local Rules for the Northern District of California. A copy of the Local Rules is available at the Clerk’s Office and at the Court’s website (<https://cand.uscourts.gov/>). No exceptions to the limitations established in the Federal and Local Rules shall be permitted except pursuant to stipulation of the parties or order of the Court.

12. Protective Orders: If parties believe a protective order is necessary, they shall, where practicable, use one of the model stipulated protective orders (available at <https://cand.uscourts.gov/rules-forms-fees/northern-district-guidelines/model-protective-orders>). Parties shall file one of the following with their proposed protective order: (a) a declaration stating that the proposed order is identical to one of the model orders except for the addition of case-identifying information or the elimination of language denoted as optional; (b) a declaration explaining each modification to the model order, along with a redline version

comparing the proposed protective order with the model order; or (c) a declaration explaining why use of one of the model orders is not practicable.

13. Meet and confer requirement for discovery disputes. As an initial matter, the parties must comply with Section 9 of the Northern District's Guidelines for Professional Conduct regarding discovery (available at <https://cand.uscourts.gov/attorneys/admission-bar-membership>).

- (a) Prior to filing any discovery-related motion, lead trial counsel for all parties shall meet and confer **in person or by video conference**, if an in-person conference is not feasible, regarding the discovery dispute(s) to resolve these matter(s). (Meet and confers may only occur by telephone if it is impossible to meet in person or by video.) After attempting other means to confer on the issue(s) (i.e., letter, phone call, e-mail), any party may demand such a meeting on ten (10) business days' notice. If meeting in person, the location of the meeting will alternate with the first location selected by counsel for Plaintiff, the second by counsel for Defendant, etc.
- (b) A meaningful meet and confer may take multiple sessions. Once it is clear that the parties are unable to resolve all disputes through this procedure, the party seeking Court intervention may file an appropriate motion or joint letter (see ¶ 14 below). **If the Court finds that the meet and confer is not adequate, the joint letter will be terminated.**

14. Discovery disputes between the parties must be addressed in a joint letter.

- (a) After meeting and conferring as set forth in ¶ 13 above, the parties shall draft and file a jointly signed letter within five (5) business days of the lead trial counsels' meet and confer session that contains the following:
 - i. A cover page with the case caption and an attestation that the parties met and conferred in person or by video conference (or, if telephonically, with an additional explanation for why it was not feasible to meet in person or by video) prior to filing the letter, have complied with Section 9 of the Northern District's Guidelines for Professional Conduct regarding discovery prior to filing the joint letter, as well as the signature of both parties or counsel;
 - ii. A section which sets forth the unresolved dispute and any pertinent factual background; and

- iii. With respect to each issue relating to the unresolved dispute, a detailed summary of each party's final substantive position and their final proposed compromise on each issue, including relevant legal authority.
- (b) Separate Letters. The parties shall file a separate joint letter for each discovery device in dispute (i.e., if the parties have disputes regarding specific interrogatories and requests for production, they must file two letters).
- i. The joint letter shall not exceed five (5) pages, excluding the cover page, without leave of Court, and may not be accompanied by exhibits or affidavits other than exact copies of interrogatories, requests for production of documents and/or responses, privilege logs, and relevant deposition testimony.
 - ii. The parties may only attach 12 pages of exhibit(s), which must be clearly marked and tabbed.
 - iii. The parties shall not file multiple letters regarding the same discovery device to contravene the page limits set forth above. The parties are expected to meet and confer in good faith to narrow the scope of their disputes to ensure that they are not wasting the Court's limited judicial resources.
- (c) Filing. The joint letter must be e-filed under the Civil Events category of "Motions and Related Filings>Motions--General>Discovery Letter Brief." Do not file under the "Letter" event, because the filing will not be designated as an open motion that requires court resolution. If the joint letter is incorrectly filed, the parties risk the dispute going unresolved.
- (d) Format. To ensure that the parties are addressing the same dispute, and are doing so in a manner that facilitates the Court's resolution, each disputed discovery request or issue must be presented in the following format:

A. Request for Production No. 7

[Summarize the issue and reproduce the request.]

Defendant's Position

[Defendant's position outlining why Plaintiff's response is deficient and the relief requested.]

Plaintiff's Position

[Plaintiff's rationale as to why he fully responded to the request, etc.]

B. Request for Production No. 12

[Summarize the issue and reproduce the request.]

Defendant's Position

[Defendant's position outlining why Plaintiff's response is deficient and the relief requested.]

Plaintiff's Position

[Plaintiff's rationale as to why he fully responded to the request, etc.]

- (e) Upon receipt of the joint letter, the Court will determine what future proceedings, if any, are necessary. Alternatively, the Court may order the parties to further meet and confer if the nature of the dispute is such that it should be resolved without court intervention.
- (f) The parties shall lodge a chambers copy of all discovery disputes as required by ¶ 5. The Court will not review the dispute until a courtesy copy is provided.

15. In responding to requests for documents and materials under Fed. R. Civ. P. 34, all parties shall affirmatively state, in a written response served on all other parties, the full extent to which they will produce materials and shall, promptly after the production, confirm in writing that they have produced *all* such materials so described that are locatable after a diligent search of *all* locations at which such materials might plausibly exist. It shall not be sufficient to object and/or to state that "responsive" materials will be or have been produced.

16. To the maximum extent feasible, all files and records should be retained and produced in their original form and sequence, including file folders, and the originals should remain available for inspection by any counsel on reasonable notice.

17. In the rare event that the parties are unable to meet and confer as directed above, or a moving party is unable to obtain the opposing party's portion of a joint letter after the meet and confer session, the moving party shall file a written request for a telephonic conference on the docket for the purpose of enforcing the Court's meet and confer requirement, or for the Court to fashion an alternative procedure. The written request shall include a declaration which states any attempt to meet and confer and/or obtain the joint letter, the reasons for the inability to comply with the standing order, and (if possible) three dates and times at which all parties are available for a telephonic conference. The moving party may attach exhibits to the declaration, but the declaration and exhibits combined may not exceed seven pages. Any opposition shall be

filed within four days of the filing of the motion. The Court will not excuse a party from the requisite in-person or videoconference meeting unless good cause is shown.

18. In emergencies during discovery events (such as depositions), any party may, after exhausting good faith attempts to resolve disputed issues, seek judicial intervention pursuant to Civil L.R. 37-1(b) by contacting the Court through the courtroom deputy. If the Court is unavailable, the discovery event shall proceed with objections noted for the record.

19. No motion for sanctions may be filed until after the moving party has complied with the requirements of paragraphs 13-17 above. Motions for sanctions shall be filed separately, pursuant to Federal Rule 37 and Civil Local Rules 7 and 37-3.

Privilege Logs

20. If a party withholds information that is responsive to a discovery request by claiming that it is privileged or otherwise protected from discovery, that party shall ***promptly*** prepare and provide a privilege log that is sufficiently detailed and informative for the opposing party to assess whether a document's designation as privileged is justified. *See* Fed. R. Civ. P. 26(b)(5). The privilege log shall set forth the privilege relied upon and specify separately for each document or for each category of similarly situated documents:

- (a) The title and description of the document, including number of pages or Bates-number range;
- (b) The subject matter addressed in the document;
- (c) The identity and position of its author(s);
- (d) The identity and position of all addressees and recipients;
- (e) The date the document was prepared and, if different, the date(s) on which it was sent to or shared with persons other than its author(s);
- (f) The steps taken to ensure the confidentiality of the communication, including affirmation that no unauthorized persons have received the communication; and
- (g) The specific basis for the claim that the document is privileged or protected. Failure to furnish this information promptly may be deemed a waiver of the privilege or protection.

COMMUNICATIONS WITH THE COURT

21. Pursuant to Civil Local Rule 11-4(c), with the exception of communication with the courtroom deputy regarding scheduling, no party may contact the Court *ex parte* without prior notice to the opposing party. All communications or questions to the Court shall be presented in writing, properly filed, and include a certification that all parties were served a copy

of the written communication. Under no circumstances shall the parties contact chambers or the courtroom deputy to inquire about the status of when an order will be issued.

MOTION PRACTICE

22. The failure of the opposing party to file a memorandum of points and authorities in opposition to any motion shall constitute consent to the granting of the motion.

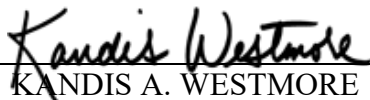
23. The Court sometimes rules on the papers, issuing a written order and vacating the hearing. If a written request for oral argument is filed at least seven days before the hearing, stating that a lawyer of four or fewer years out of law school will conduct the oral argument (or at least the lion's share), then the Court will strongly consider hearing oral argument, believing that young lawyers need more opportunities for appearances than they usually receive.

OTHER MATTERS

24. Pronouns. Parties and attorneys may advise the Court of their pronouns by filing a letter or by adding their pronouns in the name block on the first page of the pleadings.

IT IS SO ORDERED.

Dated: December 19, 2025


KANDIS A. WESTMORE
United States Magistrate Judge