

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

NOTICE: Plaintiff is directed to serve a copy of this Standing Order on all parties to this action and upon those subsequently joined, and to file with the Clerk of Court a certificate of service reflecting such service.

GENERAL STANDING ORDER OF MAGISTRATE JUDGE ROBERT M. ILLMAN

(August 12, 2019)

1. Compliance with Federal Rules, General Orders, Local Rules & Standing Orders: All parties shall consult and comply with all applicable Federal Rules, as well as the General Orders and Local Rules of the U.S. District Court for the Northern District of California, except as expressly modified herein. Failure to comply with any applicable rule or order may be deemed sufficient grounds for monetary sanctions, dismissal, entry of default judgment, or other appropriate sanctions.

2. Consent/Declination to Proceed Before a Magistrate Judge: In cases that are randomly assigned to Judge Illman for all purposes, forms entitled “Consent to Proceed before a U.S. Magistrate Judge” and “Declination to Proceed before a U.S. Magistrate Judge and Request for Reassignment to a United States District Judge” will be provided to all parties. The parties are requested, within two (2) weeks of the receipt of these forms, to complete and file the form reflecting their consent or declination as to Judge Illman’s jurisdiction as presiding judge. All pleadings filed in cases in which Judge Illman is the presiding judge shall bear the designation “EUREKA DIVISION” and the initials “RMI” following the case number.

3. Location: Judge Illman generally hears matters at the courthouse at 3140 Boeing Avenue in McKinleyville, California. Judge Illman also schedules matters in person in San Francisco. In addition, the parties may request to appear by telephone for any matter before the court if they wish to do so. Finally, if all parties so agree, they can request to appear by videoconference from San Francisco. Instructions for phone and video-appearances are provided in Paragraph 10 below.

4. Filing and Lodging Pleadings and Documents: The court should **not** be routinely copied on correspondence between counsel. For further instruction on filing and lodging procedures, *pro se* litigants should review the court’s Handbook for Litigants Without a Lawyer, which is available on the court’s website (cand.uscourts.gov/prosehandbook). *Pro se* litigants are reminded to mail, or deliver in person, their filings to the Clerk’s Office in San Francisco at: Clerk of Court, U.S. District Court, 450 Golden Gate Avenue, 16th Floor, San Francisco, CA 94102. All litigants, including *pro se* litigants, should deliver or mail the Chambers’ copies of their filings as provided in Paragraph 14 below.

5. Criminal Law and Motion: Judge Illman’s criminal law and motion calendar generally takes place on Mondays at 1:00 p.m. at the McKinleyville Federal Courthouse. Hearings on criminal motions pending before Judge Illman must be scheduled with the Judge’s Courtroom Deputy Clerk, Gloria Knudson.

6. Civil Law and Motion: Judge Illman’s civil law and motion calendar generally takes place on Tuesdays at 11:00 a.m. at the McKinleyville Federal Courthouse.

7. Status and Case Management Conferences: Status conferences are generally held on Tuesdays at 10:00 a.m. and case management conferences are generally held on Tuesdays at 1:00 p.m. at the McKinleyville Federal Courthouse. The parties also may request to appear by telephone or videoconference as provided in Paragraph 10 below.

8. Pre-Trial Conferences: Pre-trial conferences are generally held on Tuesdays at 2:00 p.m. at the McKinleyville Federal Courthouse. The parties also may request to appear by telephone or videoconference as provided in Paragraph 10 below.

9. Requests for Continuances/Status Conferences: Parties wanting to continue hearings, request special status conferences, or make other procedural changes shall do so by a signed stipulation and a proposed order. If a stipulation is not possible, the party seeking relief shall file a written *ex parte* application explaining why a stipulation was not possible, and a proposed order. Briefing schedules may not be changed by stipulation. Any change in the hearing date does not alter the original briefing schedule unless otherwise ordered by the court. Any request to reschedule a case management conference shall be made in writing and by stipulation if possible, at least ten (10) days prior to the scheduled case management conference.

10. Requirements and Procedures for Requesting Telephonic or Videoconference Appearances:

(a) Any party requesting to appear telephonically for a proceeding before Judge Illman must obtain advance permission to do so by contacting the Judge’s Courtroom Deputy Clerk, Ms. Knudson, at least four (4) business days prior to the proceeding. In such cases, dial-in instructions will be denominated on the docket of the case. **The court does not permit the use of cellular phones or speakerphones of any kind for participation in any court proceeding.** All telephone equipment used for teleconferencing must be fully capable of duplex operation. Duplex (also known as “full-duplex”) communication mode provides transmission and reception (in both directions) simultaneously. This means that all parties can speak and hear one another at the same time.

(b) If parties to a proceeding wish to appear by videoconference from San Francisco, they shall notify Ms. Knudson at least two (2) weeks before the proceeding.

11. Courtroom Technology: All parties are instructed to review the information regarding the use of courtroom technology and electronic evidence presentation which is provided on the court’s website at cand.uscourts.gov/courtroomtech and to prepare accordingly.

12. Settlement Conferences: All parties appearing before Judge Illman for a settlement conference shall comply with Judge Illman’s Settlement Conference Standing Order, which is available on the court’s website (cand.uscourts.gov/rmi).

13. Discovery Disputes: All parties with a discovery dispute in a case pending before, or referred to, Judge Illman shall comply with the following:

(a) In lieu of filing formal discovery motions, lead trial counsel for Plaintiff(s) and lead trial counsel for Defendant(s) shall meet and confer in person regarding the subject matter of the dispute in an effort to resolve the matter. After attempting other means to confer on the issue (*i.e.*, letter, phone call, e-mail) any party may demand such a meeting on five (5) business days' notice. The location of the meeting will alternate with the location for the first meeting selected by counsel for Plaintiff, the second by counsel for Defendant, *etc.* Within five (5) business days of the lead trial counsels' meet and confer session, the parties shall file a detailed joint letter. It shall not exceed five (5) pages, excluding the cover page, without prior leave of court. This joint letter shall include a description of every issue in dispute, and a detailed summary of each party's final position on each issue. The joint letter 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. On receipt of the joint letter, the court will determine what further proceedings are necessary.

(b) In the event that counsel 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 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 explains any attempt to meet and confer and/or obtain the joint letter, as well as the reasons for the inability to comply with the standing order. The moving party may attach exhibits to the declaration, not to exceed seven (7) pages. The court will not excuse a party from the in-person meeting without good cause.

(c) In emergencies during discovery events (*e.g.*, depositions), the court is available pursuant to Civil L.R. 37-1(b). Any party seeking court intervention during a discovery event **must** contact Judge Illman's Courtroom Deputy Clerk, Ms. Knudson, at 707-445-3612, prior to filing any documents.

(d) Any party seeking an award of attorney fees or other expenses as sanctions in connection with a discovery dispute shall file a separate motion as required by Civil L.R. 37-3.

(e) If a party wishes to file a document under seal, that party shall first file a written request for a sealing order setting forth the good cause and accompanied by a proposed order, as provided by Civil L.R. 79-5.

14. Lodging of Chambers' Copies: In all "E-Filing" cases when filing papers in connection with any motion for determination by the Judge, the parties shall, in addition to filing papers electronically, lodge with Chambers one printed copy of the papers in accordance with Civil L.R. 5-1(e)(7). These printed copies shall be delivered to Judge Illman's Chambers at the McKinleyville Federal Courthouse, or mailed to Judge Robert M. Illman, 3140 Boeing Avenue, McKinleyville, CA 95519, regardless of whether the hearing is set in McKinleyville or another courthouse. All copies of filings containing exhibits must contain exhibit tabs, and any copies in excess of 50 pages must be submitted in binders.

15. Electronic Submission of Proposed Orders: Any proposed order in a case subject to electronic filing shall be e-filed (in .pdf format) and emailed (in .doc format) to rmipo@cand.uscourts.gov.

16. Motions for Summary Judgment: Please consult the court's Civil Case Management and Pretrial Order.

17. Questions: Parties are reminded that most procedural questions are answered in the Federal Rules, the Local Rules, and/or the court's Standing Orders. Parties should **not** contact Chambers for answers to procedural questions without first carefully examining the **current** provisions of these authorities. Current versions of the Local Rules and these Standing Orders can be found on the court's website at www.cand.uscourts.gov. Questions regarding scheduling and case management should be directed to Judge Illman's Courtroom Deputy Clerk, Ms. Knudson.

18. Pro Se Assistance: Parties representing themselves should consult the court's *Pro Se* Handbook and/or Legal Help Center. The *Pro Se* Handbook and the contact information for the Legal Help Center can be found on the court's website at cand.uscourts.gov.

19. Timeliness; Feedback: The court strives to set matters and render decisions in a timely manner. The court encourages parties to advise the court, by way of a letter sent to Chambers, of any matter that appears to have been unduly delayed.

IT IS SO ORDERED.

Dated: August 12, 2019



ROBERT M. ILLMAN

United States Magistrate Judge