

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

,  
Plaintiff(s),  
v.  
,  
Defendant(s).

Case No.

**INITIAL STANDING ORDER  
FOR CIVIL CASES ASSIGNED  
TO JUDGE MARK C. SCARSI**

This case has been assigned to the calendar of Judge Mark C. Scarsi. Both the Court and counsel bear responsibility for the progress of this litigation in federal court. To "secure the just, speedy, and inexpensive determination" of this case, Fed. R. Civ. P. 1, all parties or their counsel are ordered to become familiar with the Federal Rules of Civil Procedure, the Local Rules of the Central District of California, and this Court's standing orders.

**THE COURT ORDERS AS FOLLOWS:**

**1. Service of the Complaint**

The plaintiff shall promptly serve the complaint in accordance with Federal Rule of Civil Procedure 4 and file proof of service pursuant to Local Rule 4(l).

1 Rule 4(m) requires the summons and complaint to be served within 90 days. The  
2 Court expects service to be completed as soon as reasonably practicable. The Court  
3 will require plaintiff to show good cause to extend the service deadline beyond 90  
4 days.

## 5 **2. Presence of Lead Counsel**

6 Lead trial counsel shall attend any scheduling, pretrial, or settlement  
7 conference set by the Court unless engaged in trial. Should that occur, counsel is  
8 to file a request for alternate or co-counsel to appear with a proposed order. The  
9 Court does not permit special appearances; only counsel of record may appear at  
10 any proceeding.

11 The Court expects counsel to appear in person at any hearing. The Court only  
12 rarely permits telephonic appearances. Counsel seeking to appear by telephone  
13 must: (1) notify opposing counsel of the request to appear telephonically; (2) at  
14 least three court days before the hearing, file a request to appear telephonically  
15 and proposed order supported by a showing that personal appearance will cause  
16 undue hardship; (3) provide the Courtroom Deputy Clerk with the telephone  
17 number at which the Court can reach counsel; and (4) be available at that number  
18 for at least 30 minutes before and 30 minutes after the time of the scheduling  
19 hearing.

## 20 **3. Ex Parte Applications**

21 Ex parte applications are solely for extraordinary relief and are rarely granted.  
22 *See Mission Power Eng'g Co. v. Cont'l Cas. Co.*, 883 F. Supp. 488 (C.D. Cal.  
23 1995). Such applications must be supported by “evidence... that the moving party’s  
24 case will be irreparably prejudiced if the underlying motion is heard according to  
25 regularly noticed motion procedures,” and a showing “that the moving party is  
26 without fault in creating the crisis that requires ex parte relief, or that the crisis  
27 occurred as a result of excusable neglect.” *Id.* at 492. Ex parte applications that  
28 fail to conform to Local Rule 7-19, including a statement of opposing counsel’s

1 position, will not be considered, except on a specific showing of good cause.

2 Counsel for the applicant must provide advance notice of the application by  
3 telephone and email to all other parties. In addition to the information required  
4 by Local Rule 7-19.1, the notice must advise the other parties of the anticipated  
5 deadline to oppose the application. The applicant must serve the application by  
6 facsimile, email, or personal service, even if electronic service is effected under  
7 Local Rule 5-3.2.1.

8 Oppositions to ex parte applications must be filed within 24 hours of the filing  
9 of the application, subject to Rule 6(a)(2). If an opposing party does not intend  
10 to oppose the ex parte application, counsel must inform the Courtroom Deputy  
11 Clerk by telephone or email as soon as possible.

#### 12 **4. Continuances or Extensions of Time**

13 This Court is very committed to adhering to all scheduled dates. In general,  
14 this makes the judicial process more efficient and less costly. Changes in dates  
15 are disfavored. Trial dates set by the Court are firm and will rarely be changed.  
16 Therefore, any request, whether by application or stipulation, to continue the date  
17 of any matter before this Court must be supported by good cause demonstrating  
18 why the change in the date is essential. Without such compelling factual support,  
19 requests to continue dates set by this Court will not be approved. Counsel  
20 requesting a continuance must electronically file any application or stipulation  
21 with a proposed order and a detailed declaration of counsel providing the grounds  
22 for the requested continuance or extension of time. The Court will deny any  
23 request that fails to comply with the Local Rules and this Order. Proposed  
24 stipulations extending scheduled dates become effective only if, and when, this  
25 Court approves the stipulation as presented to, or modified by, the Court. Counsel  
26 should avoid submitting requests for a continuance fewer than seven calendar days  
27 prior to the earliest date subject to request. The Court presumes that there is no  
28 good cause to continue any deadline that will pass within a week of a continuance

1 request or has already passed.

2 **5. TROs and Injunctions**

3 Parties seeking emergency or provisional relief shall comply with Federal  
4 Rule of Civil Procedure 65 and Local Rule 65-1. The application shall include a  
5 proof of service which complies with the Court’s requirements for ex parte  
6 applications or a separate request for service to be excused. The Court will not  
7 rule on any application for such relief for at least 24 hours after the party subject  
8 to the requested order has been served, unless service is excused. Counsel shall  
9 call the Courtroom Deputy Clerk no later than 30 minutes after filing the  
10 documents.

11 **6. Cases Removed from State Court**

12 All documents filed in state court, including documents appended to the  
13 complaint, answers, and motions, must be re-filed in this Court as a supplement to  
14 the notice of removal. *See* 28 U.S.C. § 1447(a)-(b). If the defendant has not yet  
15 answered or filed a motion in response to the complaint, the answer or responsive  
16 pleading filed in this Court must comply with the Federal Rules of Civil Procedure  
17 and the Local Rules. If, before the case was removed, a motion or demurrer in  
18 response to the complaint was pending in state court, it must be re-noticed in this  
19 Court in accordance with Local Rule 6-1 and Local Rule 7. Counsel shall file with  
20 their first appearance a notice of interested parties in accordance with Local Rule  
21 7.1-1.

22 If an action is removed to this Court that contains a form pleading, i.e., a  
23 pleading in which boxes are checked, the party or parties utilizing the form  
24 pleading must file an appropriate pleading with this Court within 30 days of receipt  
25 of the Notice of Removal. The appropriate pleading referred to must comply with  
26 the requirements of Federal Rules of Civil Procedure 7, 7.1, 8, 9, 10, and 11.

27 **7. Status of Fictitiously Named Defendants**

28 This Court intends to adhere to the following procedures where a matter is

1 removed to this Court on diversity grounds with fictitiously named defendants. *See*  
2 28 U.S.C. §§ 1441, 1447.

3       **a.** Plaintiff is expected to ascertain the identity of, and serve, any  
4 fictitiously named defendant, within 90 days of the removal of the action to this  
5 Court.

6       **b.** If plaintiff believes (by reason of the necessity for discovery or  
7 otherwise) that fictitiously named defendants cannot be identified within the  
8 90-day period, an *ex parte* application requesting permission to extend that period  
9 to effectuate service may be filed with this Court. Such an application shall state  
10 the specific reasons for the requested extension of time, including a description  
11 of all efforts made up to that time to identify and serve such defendants. The *ex*  
12 *parte* application shall be served upon all appearing parties, and shall state that  
13 appearing parties may file written comments within seven days of filings of the  
14 *ex parte* application.

15       **c.** If plaintiff wants to substitute a defendant for one of the fictitiously  
16 named defendants, plaintiff shall first seek the consent of counsel for all defendants  
17 (and counsel for the fictitiously named party, if that party has separate counsel). If  
18 consent is withheld or denied, plaintiff should file a motion on regular notice. The  
19 motion and opposition should address whether the matter should thereafter be  
20 remanded to the Superior Court if complete diversity of citizenship would no  
21 longer be present as a result of the addition of the new party. *See* U.S.C. § 1447(c)  
22 and (d).

## 23 **8. Discovery**

### 24 **a. Discovery Matters Referred to the Magistrate Judge**

25 All discovery matters, including all discovery motions, are referred to the  
26 assigned United States Magistrate Judge. The Magistrate Judge's initials follow the  
27 District Judge's initials next to the case number on this Order. All discovery-related  
28 documents must include the words "DISCOVERY MATTER" in the caption to

1 ensure proper routing. Counsel are directed to contact the Magistrate Judge's  
2 Courtroom Deputy Clerk to schedule matters for hearing.

3 In accordance with 28 U.S.C. § 636(b)(1)(A), the Court will not reverse any  
4 order of the Magistrate Judge unless it has been shown that the Magistrate Judge's  
5 order is clearly erroneous or contrary to law.

6 Any party may file and serve a motion for review and reconsideration before  
7 this Court. *See* Fed. R. Civ. P. 72(a). The moving party must file and serve the  
8 motion within 14 days of service of a written ruling or within 14 days of an oral  
9 ruling that the Magistrate Judge states will not be followed by a written ruling.  
10 The motion must specify which portions of the ruling are clearly erroneous or  
11 contrary to law and support the contention with points and authorities.

12 **b. Compliance with Federal Rule of Civil Procedure 26(a)**

13 Unless there is a likelihood that, upon motion by a party, the Court would  
14 order that any or all discovery is premature, counsel should begin to conduct  
15 discovery actively before the Scheduling Conference. Discovery is not stayed prior  
16 to the Scheduling Conference or after dates have been set unless otherwise ordered  
17 by the Court. At the very least, the parties shall comply fully with the letter and  
18 spirit of Rule 26(a) and thereby obtain and produce most of what would be  
19 produced in the early stage of discovery.

20 **9. Motions**

21 **a. Time for Filing and Hearing Motions**

22 Motions shall be filed in accordance with Local Rule 6-1 and Local Rule 7.  
23 In general, this Court hears motions on Mondays, beginning at 9:00 a.m. If Monday  
24 is a national holiday, motions will be heard on the following Monday. It is not  
25 necessary to clear a hearing date with the Courtroom Deputy Clerk prior to the  
26 filing of a motion, but counsel shall review the Court's closed motion dates prior  
27 to selecting a date.

28 \\\

1           **b. Briefing Motions**

2           **Please read this section carefully. This Court’s schedule for briefing**  
3 **motions differs significantly from the briefing schedule set by the Local Rules.**

4           Any motion that is filed and set for a hearing to be held fewer than 35 days  
5 from the date of the filing of the motion shall be briefed pursuant to Local Rules  
6 7-9 and 7-10. Otherwise, motions shall be briefed according to the following  
7 schedule:

8           (a). Any motion that is filed and set for a hearing between 35 and 70 days  
9 from the date of the filing of the motion: (i) any opposition must be filed no later  
10 than 14 days after the filing of the motion; and (ii) any reply must be filed no later  
11 than 21 days after the filing of the motion.

12           (b). Any motion that is filed and set for a hearing more than 70 days from  
13 the date of the filing of the motion: (i) any opposition must be filed no later than  
14 21 days after the filing of the motion; and (ii) any reply must be filed no later than  
15 35 days after the filing of the motion.

16           **c. Prefiling Requirement to Meet and Confer**

17           Counsel must comply with Local Rule 7-3, which requires counsel to engage  
18 in a prefiling conference "to discuss thoroughly... the substance of the contemplated  
19 motion and any potential resolution." Counsel must meet and confer in person or  
20 by telephone or videoconference; an exchange of written correspondence is  
21 insufficient. Counsel should discuss the issues to a sufficient degree that if a motion  
22 is still necessary, the briefing may be directed to those substantive issues requiring  
23 resolution by the Court. Counsel should resolve minor procedural or other  
24 non-substantive matters during the conference, including the prospective hearing  
25 date. The *in propria persona* status of one or more parties does not alter this  
26 requirement.

27           **d. Length and Format of Motion Papers**

28           All motion papers shall comply with Local Rule 11-3. Only in rare instances

1 and for good cause shown will the Court grant an application for relief from the  
2 brief length limitations of Local Rule 11-6. Reply briefs may not exceed 3,000  
3 words, excluding indices and exhibits. A handwritten or typewritten reply brief  
4 may not exceed 10 pages, excluding indices and exhibits. No supplemental brief  
5 or surreply shall be filed without prior leave of Court.

6 Counsel shall adhere to Local Rule 5-4.3.1 with respect to the conversion of  
7 all documents to a PDF so that when a document is filed, it is in the proper size  
8 and format that is text-searchable. Further, all documents shall be filed in a format  
9 so that text can be selected, copied, and pasted directly from the document.

10 Electronic nonpaper exhibits lodged under Local Rule 5-4.2(b)(1) (e.g., audio  
11 and video files) must be provided on a USB flash drive. The Court will not accept  
12 electronic exhibits provided by CD or DVD.

13 **e. Mandatory Chambers Copies**

14 **Please read this section carefully. This Court's requirements for**  
15 **chambers copies differ significantly from the Local Rules.** These rules are  
16 designed to reduce the parties' expenditure of resources on courtesy copies by  
17 reducing printing volume and requiring only a single courier trip for delivery.

18 The Court requires mandatory chambers copies **only** of memoranda of points  
19 and authorities authorized to be submitted in connection with motion practice  
20 (i.e., the opening memorandum, the opposition, the reply, and any authorized  
21 supplemental briefs or surreplies). No copies of other motion-related documents  
22 (e.g., declarations and documentary evidence) shall be delivered unless ordered  
23 by the Court.

24 By noon on the day after the last day a brief is authorized to be filed, the  
25 movant shall deliver two copies of the complete set of motion briefs printed  
26 double-sided from CM/ECF in the manner specified in Local Rule 5-4.5, collated  
27 in order of filing (e.g., motion-opposition-reply-etc.), and bound together by staple.  
28 The motion opponent has no obligation to deliver courtesy copies; instead, the

1 movant shall deliver the opponent's brief(s) in the collated courtesy copy packet.

2 **f. Citations of Case Law**

3 Citations of case law must identify not only the case cited, but also the specific  
4 page referenced. For example, if a quotation is presented, the associated page  
5 citation shall be provided. Similarly, if a case is cited in support of a proposition  
6 based on language in the opinion, the pages on which such language appears shall  
7 be provided. Bluebook style is preferred.

8 **g. Citations of Other Sources**

9 Statutory references should identify with specificity the sections and  
10 subsections referenced. Citations of treatises, manuals, and other materials should  
11 include the volume, section, and pages that are referenced. Citations of prior filings  
12 in the same matter shall include the docket entry number, section, and pages that  
13 are referenced. Bluebook style is preferred.

14 **h. Oral Argument**

15 If the Court deems a matter appropriate for decision without oral argument,  
16 the Court will notify the parties in advance. C.D. Cal. R. 7-15.

17 **10. Specific Motions**

18 **a. Rule 12 Motions**

19 Many motions to dismiss or to strike can be avoided if the parties confer in  
20 good faith (as required by Local Rule 7-3), especially where perceived defects in a  
21 complaint, answer, or counterclaim could be corrected by amendment. *See Chang*  
22 *v. Chen*, 80 F. 3d 1293, 1296 (9th Cir. 1996) (where a motion to dismiss is granted,  
23 a district court should provide leave to amend unless it is clear that the complaint  
24 could not be saved by any amendment). These principles require that plaintiff's  
25 counsel carefully evaluate defendant's contentions as to the deficiencies in the  
26 complaint. In most instances, the moving party should agree to any amendment  
27 that would cure the defect.

28 If a motion to dismiss is granted with leave to amend, counsel shall attach as

1 an appendix to an amended pleading a "redline" version of the amended pleading  
2 showing all additions and deletions of material.

3 **b. Motions for Leave to Amend**

4 All motions for leave to amend pleadings shall: (1) state the effect of the  
5 amendment and (2) identify the page and line numbers and wording of any  
6 proposed change or addition of material. The proposed amended pleading shall  
7 be serially numbered to differentiate it from previously amended pleadings.

8 In addition to the requirements of Local Rule 15, counsel shall attach as an  
9 appendix to the moving papers a "redline" version of the proposed amended  
10 pleading showing all additions and deletions of material.

11 **c. Motions for Summary Judgment**

12 Parties need not wait until the motion cut-off date to bring a motion for  
13 summary judgment or partial summary judgment. A party moving for summary  
14 judgment must file the motion at least 35 days before the hearing. The parties  
15 should prepare papers in a fashion that will assist the Court in locating the  
16 evidence with respect to the facts (e.g., generous use of tabs, tables of contents,  
17 headings, indices, etc.). The parties are to comply precisely with Local Rule 56.

18 **i. Statement of Uncontroverted Facts and Genuine Disputes**

19 The Statement of Uncontroverted Facts and Conclusions of Law  
20 ("Statement of Uncontroverted Facts"), as required by Local Rule 56-1, shall be  
21 separately lodged and identify each claim for relief on which the moving party  
22 seeks summary judgment and the legal grounds for summary judgment. In a  
23 two-column format beneath the identified claim for relief, the left-hand column  
24 shall set forth, sequentially numbered, each allegedly uncontroverted material fact  
25 as to that claim for relief, and the right-hand column shall set forth the evidence  
26 that supports the factual statement. Citation of the supporting evidence shall be  
27 specific, including reference to the docket number, exhibit, page, and line number.  
28 The Statement of Uncontroverted Facts shall be formatted based on the following

1 examples:

2 **Plaintiff's Claim for Relief for \_\_\_\_\_ Is Barred by the Applicable Statute of**  
3 **Limitations. (Cite)**

4 1. (Moving party's first undisputed fact)	(Supporting evidence citation, e.g., Dkt 50, Exh. 5 at 7:3-5)
5 2. (Moving party's second undisputed 6 fact)	(Supporting evidence citation, e.g., Dkt. 51-5, Exh. 5 at 8:4-5)

7 The opposing party's Local Rule 56-2 Statement of Genuine Disputes of  
8 Material Fact must be in two columns and track the movant's separate statement  
9 exactly as prepared. The left-hand column must restate the allegedly undisputed  
10 fact and the alleged supporting evidence, and the right-hand column must state  
11 either that it is undisputed or disputed. The opposing party may dispute all or only  
12 a portion of the statement, but if disputing only a portion, such party must clearly  
13 indicate what part is being disputed, followed by the opposing party's evidence  
14 controverting the fact. To demonstrate that a fact is disputed, the opposing party  
15 must briefly state why it disputes the moving party's asserted fact, cite the  
16 relevant exhibit or other evidence, and describe what it is in that exhibit or  
17 evidence that refutes the asserted fact. No legal argument should be set forth in  
18 this document.

19 The opposing party may submit additional material facts that bear on, or  
20 relate to, the issues raised by the movant, which shall follow the format described  
21 above for the moving party's Statement of Undisputed Facts. These additional  
22 facts shall continue in sequentially numbered paragraphs and shall set forth in the  
23 right-hand column the evidence that supports that statement. Additional material  
24 facts shall be filed in a separate document from the Statement of Genuine Disputes.

25 **ii. Supporting Evidence**

26 No party shall submit evidence other than the specific items of evidence or  
27 testimony necessary to support or controvert a proposed statement of undisputed  
28 fact. For example, entire deposition transcripts, entire sets of interrogatory

1 responses, and documents that do not specifically support or controvert material in  
2 the separate statement shall not be submitted in support of or opposition to a  
3 motion for summary judgment.

4 Evidence in support of, or in opposition to, a motion should be submitted  
5 either by way of stipulation or as exhibits to declarations sufficient to authenticate  
6 the proffered evidence and should not be attached to the memorandum of points  
7 and authorities. Documentary evidence as to which there is no stipulation regarding  
8 foundation must be accompanied by the testimony, either by declaration or  
9 properly authenticated deposition transcript, or a witness who can establish  
10 authenticity.

11 The parties shall ensure that electronically filed copies of evidence in support  
12 of, or in opposition to, a motion for summary judgment are in the proper format.  
13 Thus, all documents must be text-searchable and have selectable text that may be  
14 copied and pasted directly from the filed document.

15 Additionally, testimony cited in a statement of uncontroverted facts,  
16 statement of genuine material facts, or statement of additional material facts shall  
17 be highlighted and/or underlined.

### 18 **iii. Objections to Evidence**

19 Evidentiary objections to a declaration submitted in connection with a motion  
20 or other matter shall be made in writing and served and filed at the same time as,  
21 but separately from, the opposition or reply papers. If a party disputes a fact based  
22 in whole or in part of an evidentiary objection, the ground of the objection should  
23 be succinctly stated in a separate statement of evidentiary objections in a  
24 three-column format:

- 25 a. The left column should include the relevant portions of any  
26 declaration or deposition, which shall include the highlighted,  
27 underlined, and/or bracketed portions that are being objected  
28 to (including page and line number, if applicable). Each

1 objection shall be numbered and located within the copy of  
2 the declaration.

3 b. The middle column should set forth a concise objection (e.g.,  
4 hearsay, lacks foundation, etc.) with a citation of the Federal  
5 Rules of Evidence or, where applicable, a case citation.

6 c. The right column should provide space for the Court's entry  
7 of its ruling on the objection.

8 d. A proposed order shall be filed and attached to the evidentiary  
9 objections as a separate document consistent with Local Rule  
10 52-4.1 and either uploaded through the CM/ECF system or  
11 emailed directly to [mcs\\_chambers@cacd.uscourts.gov](mailto:mcs_chambers@cacd.uscourts.gov).

12 *See* Exhibit A. Counsel shall adhere to this format for any evidentiary  
13 objections that are submitted to the Court for consideration.

14 **d. Motions for Attorney's Fees**

15 Motions for attorney's fees shall be filed and set for hearing according to  
16 Local Rule 6-1 and this Order. Any motion or request for attorney's fees shall  
17 attach two summaries, in table form, of the hours worked by and billing rate of  
18 each attorney with title (i.e., partner, local counsel, associate, etc.).

19 The first table shall include a summary of the hours worked by each attorney,  
20 organized by task (i.e., discovery, motion to dismiss, motion for summary  
21 judgment). If the hourly rate charged by any individual attorney changed while the  
22 case was ongoing, the party shall provide separate calculation for the total number  
23 of hours that the attorney spent in connection with each task at each hourly rate.

24 The second table shall include a summary of the hours worked by each  
25 attorney, organized by attorney. This table shall list all of the tasks on which the  
26 attorney worked, the hours worked on each task, and the hourly rate of each  
27 attorney.

28 Any table as set forth above shall be attached to the motion and electronically

1 filed. A copy of the table shall be emailed to mcs\_chambers@cacd.uscourts.gov  
2 in Microsoft Excel format and have all restrictions removed so that the spreadsheet  
3 can be edited. *See* Exhibit B.

4 **e. Motions for Preliminary and Final Approval of Class Action**  
5 **Settlement**

6 Parties submitting a motion for preliminary or final approval of a class  
7 settlement shall include a spreadsheet supporting any proposed award of attorney's  
8 fees. The spreadsheet shall include an estimate of any future attorney's fees for  
9 which compensation will be sought, the normal hourly rate of all counsel for whom  
10 entries appear on the spreadsheet, the support for such hourly rate(s), and an  
11 explanation of the basis of any service enhancement award for lead plaintiff(s),  
12 including the hours worked and activities performed by such lead plaintiff(s). A  
13 copy of the table shall be emailed to mcs\_chambers@cacd.uscourts.gov in  
14 Microsoft Excel format and have all restrictions removed so that the spreadsheet  
15 can be edited. *See* Exhibit B.

16 **11. Under Seal Documents**

17 Counsel shall comply with Local Rule 79-5. All applications must provide  
18 the reason(s) why the parties' interest in maintaining the confidentiality of the  
19 document(s) outweighs the public's right of access to materials submitted in  
20 connection with a judicial proceeding. Counsel are ordered to meet and confer in  
21 person or by telephone at least seven calendar days prior to the filing of an  
22 application in which the basis for the requested sealing is stated to determine if they  
23 can agree on the proposed under seal filing. No later than two calendar days after  
24 the meet and confer process has concluded, the non-proposing party shall confirm  
25 whether it agrees to having such information designated as confidential or whether  
26 it opposes an under seal filing. Any application for under seal filing, whether or  
27 not opposed, shall contain the dates and method by which the parties met and  
28 conferred. If such information is not provided, the application will be denied

1 without prejudice to an amended application being filed that complies with the  
2 foregoing terms.

### 3 **Filing Applications for Leave to File Under Seal**

- 4 1. The application for leave to file under seal shall be filed on the  
5 public docket and shall attach a proposed order pursuant to Local  
6 Rule 5-4.4.1 and 5-4.4.2. Any declaration that supports the  
7 application shall also be attached to the application unless it  
8 contains confidential information. The declaration shall be filed  
9 under seal as its own docket entry if it contains confidential  
10 information.
- 11 2. The unredacted version of all documents sought to be sealed  
12 shall be filed provisionally under seal. The documents may be  
13 attached to the declaration that supports the application, if the  
14 declaration is sealed and is filed as its own docket entry.  
15 Otherwise, the documents should be filed separately under  
16 provisional seal. The title shall include "Unredacted" or "Sealed"  
17 as the first word of the title of the document. Any provisionally  
18 sealed document must clearly mark the information that is  
19 confidential or privileged via highlighting in color and/or using  
20 brackets.
- 21 3. The Court will review the submitted documents and determine  
22 whether the documents can be sealed. If the application is  
23 granted, counsel shall file:
  - 24 i. The unredacted version of the entire document as its own  
25 docket entry. The title shall include "Unredacted" or  
26 "Sealed" as the first word of the title of the document.  
27 Any information that has been redacted or omitted from  
28 the public filing must be clearly marked via highlighting

1 in color and/or using brackets.

- 2 ii. The redacted version of the entire document as its own  
3 docket entry. Unless otherwise stated in the order  
4 granting the application, a redacted version is required  
5 of all sealed documents. The title shall include  
6 "Redacted" as the first word of the title of the document.  
7 Any information that is confidential or privileged must  
8 be blacked out or a page shall be inserted with the title  
9 of the document that indicates that the entire document  
10 is sealed.

11 Closely related materials filed at the same time where some are  
12 proposed to be filed under seal and others will not be sealed shall  
13 be considered as a single document and filed as a single docket  
14 entry containing multiple attachments. For example, if certain  
15 exhibits to a declaration are to be filed under seal, even if other  
16 exhibits or the declaration are not, the entire document for which  
17 permission to seal should be sought is the declaration and all  
18 exhibits. The docket shall therefore include:

- 19 i. One unredacted, sealed docket entry containing the  
20 declaration with all exhibits, including sealed exhibits,  
21 filed as an attachment to the declaration; and  
22 ii. a separate, redacted docket entry containing the  
23 declaration with all exhibits, including redacted  
24 exhibits, filed as an attachment to the declaration.

## 25 **12. Initial Pleadings**

26 Counsel shall comply with Local Rule 3 when filing initial pleadings. All  
27 initiating pleadings, including third-party complaints, amended complaints,  
28 complaints in intervention, counterclaims, and crossclaims, shall be filed as a

1 separate document. None shall be combined with an answer.

2 **13. Amended Pleadings**

3 Every amended pleading shall be serially numbered to differentiate the  
4 pleading from prior pleadings, e.g. First Amended Complaint, Second Amended  
5 Counterclaim, Third Amended Crossclaim, etc. Counsel shall attach as an  
6 appendix to all amended pleadings a "redline" version of the amended pleading  
7 showing all additions and deletions of material from the most recent prior pleading.

8 **14. Pro Se/Self-Represented Parties**

9 Pro se/self-represented parties may continue to present all documents to the  
10 Clerk for filing in paper format pursuant to Local Rule 5-4.2. However, the Court  
11 will also permit self-represented parties to present all documents to the Clerk for  
12 for filing by email so long as they comply with the following requirements:

13 (a) The document shall be prepared so that it complies with the  
14 requirements set forth in Local Rule 11-3, i.e., legibility, font, paper, pagination,  
15 spacing, title page, page limits, etc.

16 (b) The document shall be emailed as a PDF document to  
17 mcs\_chambers@cacd.uscourts.gov no later than the date it is due. The Court will  
18 deem the date the document is emailed as the filed or lodged date. The subject line  
19 of the email shall contain: (i) the case number, (ii) case name, and (iii) "Pro Se  
20 Filing" to ensure it will be filed/lodged properly.

21 (c) Pro se/self-represented parties may use the chambers email solely to  
22 present documents for filing. The chambers email is not to be used in any way to  
23 communicate with the Judge or Clerk. All parties, including pro se/self-represented  
24 parties, shall refrain from writing letters to the Court, sending email messages,  
25 making telephone calls to chambers, or otherwise communicating with the Court  
26 unless opposing counsel is present. All matters must be called to the Court's  
27 attention by appropriate application or motion C.D. Cal. R. 83-2.5.

28 The Court expects pro se/self-represented parties to comply with the Local

1 Rules and the rules set by this Court. The Court has a Pro Se Clinic available to  
2 assist those persons who do not have an attorney to represent them. Clinics are  
3 located in Los Angeles, Riverside, and Santa Ana. More information can be  
4 obtained by calling (213) 385-2977, ext. 270, or visiting the Court's website at  
5 <http://prose.cacd.uscourts.gov/>.

6 **15. Notice of This Order/Electronically Filed Documents**

7 If this case was initiated in this Court, plaintiff(s) shall immediately serve this  
8 Order on all parties, including any new parties to the action. If this case was  
9 removed from state court, the removing defendant(s) shall serve this Order on  
10 all other parties.

11 Any document that is electronically filed shall be served by mail that same  
12 day on any party or attorney who is not permitted or has not consented to electronic  
13 service, with a proof of service to be filed within 24 hours.

14  
15

16 **IT IS SO ORDERED.**

17  
18

Dated:



---

HONORABLE MARK C. SCARSI  
UNITED STATES DISTRICT JUDGE

19  
20  
21  
22  
23  
24  
25  
26  
27  
28



**EXHIBIT B: FORMAT FOR ATTORNEY'S FEES SUMMARY CHARTS**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

<b>Table 1</b>			
Task 1: Motion to Dismiss			
<b>Attorney</b>	<b>Rate</b>	<b>Hours</b>	<b>Fee</b>
Attorney 1 (position)	\$XXX/hour	Total hours spent by Attorney 1 on Task 1	\$XXX
Attorney 1 (position)	\$XXX/hour	Total hours spent by Attorney 1 on Task 1	\$XXX
<b>Fee Request for Task 1</b>		<b>Task 1 Sum</b>	<b>Task 1 Sum</b>
Task 2: Motion for Summary Judgment			
Attorney 1 (position)	\$XXX/hour	Total hours spent by Attorney 1 on Task 1	\$XXX
Attorney 1 (position)	\$XXX/hour	Total hours spent by Attorney 1 on Task 1	\$XXX
<b>Fee Request for Task 1</b>		<b>Task 1 Sum</b>	<b>Task 1 Sum</b>

<b>Table 2</b>				
<b>Attorney</b>	<b>Rate</b>	<b>HOURS BY TASK</b>		<b>TOTALS</b>
Attorney 1 (position)		Task	Total Hours Spent by Attorney on Task	<b>Hours: Amount:\$</b>
		i.e., Motion to Dismiss		
		Discovery		
		Deposition		
		Task 4		
		Task 5 (etc.)		
Attorney 1 (position)		Task	Total Hours Spent by Attorney on Task	<b>Hours: Amount:\$</b>
<b>Total</b>				<b>Hours: Amount:\$</b>