

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
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5 ORDER OF THE EXECUTIVE COMMITTEE
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7 IN THE MATTER OF CIVIL CASE ASSIGNMENTS TO THE SAN JOSE DIVISION
8 DURING THE PENDENCY OF A JUDICIAL VACANCY

9 As reflected in Civil Local Rules 3-2 and 3-3 and General Order No. 44, it is the
10 policy and practice of this Court to maintain an equitable system for a proportionate
11 division of civil cases among the district judges and magistrate judges. There is an
12 impending judicial vacancy in the San Jose Division which, if left unaddressed, would
13 result in an inequitable allocation of new civil cases among court divisions during the
14 period in which the district judgeship in question remained unfilled.

15 Accordingly, under the authority of GO 44.F (Assignments in the Interest of
16 Justice and Economy), the Executive Committee now orders that, prior to the
17 commencement of his term as Director of the Federal Judicial Center, the pending civil
18 cases assigned to District Judge Jeremy Fogel will be randomly reassigned on a district-
19 wide basis to other active and senior district judges. To the extent that Judge Fogel
20 decides to continue to preside over certain cases after his departure for the Federal
21 Judicial Center, those cases are exempt from reassignment under this order. The Clerk is
22 directed to implement procedures necessary to effectuate this order. This order will
23 remain in effect until said judgeship is filled or until further order of the Executive
24 Committee.

25 For the Executive Committee:

26 Dated: September 6, 2011

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United States District Chief Judge