

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

**CIVIL STANDING ORDER FOR
DISTRICT JUDGE JACQUELINE SCOTT CORLEY**

(Revised April 11, 2022)

****Chambers copies are not required unless specifically requested by the Court****

Parties shall comply with the procedures in the Federal Rules of Civil or Criminal Procedure, the Northern District of California's Local Rules and General Orders, and this standing order, all of which are available at <http://www.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.

A. CALENDAR DATES

Civil motions are heard on Thursdays at 9:00 a.m. Civil motion hearings are held by Zoom videoconference, although the parties can submit a written request to have the hearing in person. Giving less experienced attorneys the opportunity to argue a motion in a courtroom is one reason that holding in-person argument may be appropriate. The Court may also notify the parties that an in-person hearing is required and will provide at least 14 days' notice if it does so.

Civil case management and status conferences are heard on Thursdays at 1:30 p.m. These conferences shall all be conducted via videoconference until further notice.

Pretrial conferences are held on Thursdays at 2:00 p.m. As with civil motion hearings, these will generally be heard via videoconference, although a party may request in writing that the conference occur in person and the Court may require in-person attendance with advance notice.

B. SCHEDULING

Parties should notice motions (other than discovery motions) pursuant to the Local Rules. Parties need not reserve a hearing date, but should confirm the Court's availability at <http://www.cand.uscourts.gov>. For scheduling questions, please contact Judge Corley's Courtroom Deputy, Ada Means, at jscrd@cand.uscourts.gov.

C. INVITATION TO SELF-IDENTIFY PRONOUNS AND HONORIFICS

If they so choose, litigants and lawyers may indicate their pronouns (e.g., she/her, he/him, they/their) and honorifics (e.g., Mr., Ms., Mx., Dr.) by adding the information in the name block or signature line of the pleadings.

D. CHAMBERS COPIES

While the requirement of chambers copies has been suspended, the Court may request that a party provide chambers copies for particularly voluminous filings. If the Court does so, the chambers copies should be double-sided (when possible) and three-hole punched along the left side of the page, and should bear the ECF filing “stamp” (case number, docket number, date, and ECF page number) along the top of the page. All exhibits shall be clearly delineated with labels along the right side. If the filing includes exhibits over two inches thick, the parties shall place the chambers copies in a binder. The chambers copies shall be marked “Chambers Copy” and submitted to the Clerk’s Office, in an envelope marked with “Judge Corley,” the case number, and “Chambers Copy.”

The Court does not require electronic copies of proposed orders. If the Court requires electronic copies of a filing, it will specifically request it from the parties. **Parties should not otherwise email jscrd@cand.uscourts.gov with electronic copies of filings.**

E. CIVIL CASE MANAGEMENT

No later than seven (7) days before the initial 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,” a copy of which is attached hereto.

Parties may not continue a case management, status, or pretrial conference without Court approval. At the case management conference, counsel shall attend on behalf of each party or, for parties unrepresented by an attorney, the party shall attend. Counsel or unrepresented parties 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.

The Court strongly encourages parties to permit less experienced attorneys to actively participate in the proceedings by presenting argument at motion hearings or examining witnesses at trial. The Court permits more than one attorney to argue for a party at a motion hearing or case management conference if this creates an opportunity for less experienced attorneys to participate.

All hearings, case management conferences, status conferences and pretrial conferences are audio recorded; court reporters are usually not provided. Parties may request a copy of the audio recording (on CD), a transcription of the audio recording, or the court reporter’s transcript if applicable by following the procedures set forth at <http://cand.uscourts.gov/transcripts>.

Amended Pleadings

If a party files an amended pleading, they shall concurrently file a redlined or highlighted version comparing the amended pleading to the prior operative pleading.

Documents filed on ECF

All exhibits to motions and/or discovery dispute joint statements should be separately filed on ECF. For example, if the motion is Docket No. 30, and the declaration with 10 exhibits is Docket No. 31, Exhibit A would be filed as Docket No. 31-1, Exhibit B would be Docket No. 31-2, and so on. Electronically filed documents must be text-searchable PDFs whenever possible.

Motions to File Under Seal

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 for which good cause exists for filing under seal. If a party wishes to file a document under seal, that party shall first file an administrative motion to seal in accordance with Local Rule 79-5.

If parties are asked to provide chambers copies of documents filed under seal, the chambers copies with confidential materials will be handled like all other chambers copies of materials without special restriction, and will typically be recycled, not shredded. **If the parties wish to dispose of documents filed under seal in some other way, they must expressly indicate as much in their sealing motion and make arrangements to pick up the documents upon disposition of the motion.**

F. CIVIL DISCOVERY

Parties should be mindful of the December 1, 2015 amendments to the Federal Rules of Civil Procedure, and in particular, the directive in Rule 1 that the Rules “should be construed, administered, and employed by the court and the parties to secure the just, speedy, and inexpensive determination of every action and proceeding,” and the proportionality requirements for discovery under Rule 26(b)(1).

Discovery Disputes Between Parties to the Case

Upon the development of an impasse with respect to discovery in a pending case assigned to Judge Corley, the parties must first meet and confer; that is, counsel for each party shall meet and confer in person or via videoconference to attempt to resolve their dispute informally. A mere exchange of letters, emails, telephone calls or facsimile transmissions does not satisfy the meet and confer requirement.

If the parties are unable to resolve their dispute informally after a good faith effort, **including meet and confer efforts conducted by lead counsel**, the parties have two options:

- 1) If the dispute is straightforward, or the parties believe some initial informal guidance from the Court may help the parties resolve their dispute without the need for briefing, the parties may contact Judge Corley's Courtroom Deputy, Ada Means, at jsccrd@cand.uscourts.gov to arrange a telephonic conference with Judge Corley.
- 2) For more complex disputes, the parties shall prepare a joint statement of not more than five pages (12-point font or greater) stating the nature and status of the dispute and attesting to their good faith meet and confer efforts. Issue-by-issue, the joint statement shall describe each unresolved issue, summarize each party's position with appropriate legal authority, and provide each party's final proposed compromise before addressing the next issue. It is preferable that the parties file a separate statement for each dispute. Where necessary, the parties may submit supporting declarations and documentation of up to 12 pages. Parties are expected to plan for and cooperate in preparing the joint statement so that each side has adequate time to address the arguments.

The parties are strongly encouraged to submit a joint statement, but in the rare instances when a joint statement is not possible, each side may submit a statement of not more than two pages (12-point font or greater).

The joint statement or individual statements shall be e-filed (unless the case is exempt from e-filing requirements). Whether joint or individual, the statement must be filed under the Civil Events category of "Motions and Related Filings > Motions – General > Discovery Letter Brief."

Upon review of the parties' submission(s), the Court will advise the parties of how the Court intends to proceed. The Court may issue a ruling or schedule a videoconference with the parties, and at such conference may issue rulings, order more formal briefing, or set further hearing dates. The Court may also order the parties to come to the courthouse to meet and confer in good faith.

Discovery Disputes Between a Party and a Non-Party

For discovery disputes involving non-parties (usually Federal Rule 45 disputes), the parties may utilize any of the procedures identified above, including asking for an informal discovery conference with Judge Corley, provided the parties and non-parties agree to that procedure. Absent agreement, the moving party should file a noticed motion pursuant to Local Rule 7. In either event, before the dispute may be brought to the Court's attention, counsel must meet and confer in person or by videoconference.

Protective Orders

Parties who seek a protective order or order regarding discovery of electronically stored information (“ESI”) must, where practicable, use one of the model stipulated orders available at <https://cand.uscourts.gov/model-protective-orders> or <https://cand.uscourts.gov/eDiscoveryGuidelines>. Parties must file one of the following with any proposed protective order or order regarding discovery of ESI: (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 order with the model order; or (c) a declaration explaining why use of one of the model orders is not practicable.

Privilege Logs

If a party withholds material as privileged under Federal Rule 26(b)(5) or 45(d)(2)(A), it must produce a privilege log as quickly as possible, but no later than fourteen days after its disclosures or discovery responses are due, unless the parties stipulate to or the Court sets another date. Privilege logs must contain the following: (a) the subject matter or general nature of the document (without disclosing its contents); (b) the identity and position of its author; (c) the date it was communicated; (d) the identity and position of all addressees and recipients of the communication; (e) the document’s present location; and (f) the specific privilege and a brief summary of any supporting facts. Failure to furnish this information promptly may be deemed a waiver of the privilege or protection.

Depositions

The parties are encouraged to negotiate a deposition protocol that addresses which depositions will be taken remotely and how remote depositions will be handled. Notice of depositions must be given at least 30 days prior to the close of fact discovery.

G. CLASS ACTION SETTLEMENTS

Any motion for preliminary or final approval of a class action settlement must address the respective guidelines in the Northern District of California’s Procedural Guidance for Class Action Settlements, available at <https://cand.uscourts.gov/forms/procedural-guidance-for-classaction-settlements/>, in the order the guidelines are presented on the website.

As reflected in the Guidance, the Court will require a post-distribution accounting within 21 days after the final distribution of settlement funds. In addition to the information contained in the Guidance, the post-distribution accounting must discuss any significant or recurring concerns communicated by class members to the settlement administrator or counsel since final approval, any other issues in settlement administration since final approval, and how any concerns or issues were resolved.

H. PARTIES UNREPRESENTED BY AN ATTORNEY

Parties representing themselves, without the assistance of a lawyer, should visit the link titled “Representing Yourself” on the Court’s homepage, www.cand.uscourts.gov. The link discusses the Court’s Legal Help Center which provides free assistance for unrepresented parties in person and over the phone. Parties can make an appointment at the San Francisco Legal Help Center by calling (415) 782-8982 or emailing fedpro@sfbar.org, or at the San Jose Legal Help Center by calling (408) 297-1480.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Jacqueline Scott Corley". The signature is written in a cursive, flowing style.

JACQUELINE SCOTT CORLEY
United States District Judge