

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

In the matter of)
)
LOCAL RULE AMENDMENTS)
_____)

General Order No. 632

Good cause appearing, the Court proposes amending Civil Local Rules 5.1 and 16.1, Patent Local Rules 2.1 and 4.2, and Criminal Local Rule 47.1 as follows:

**Civil Rule 5.1 Form; Paper; Legibility;
Nature of Documents to be Filed**

- j. **Title Page.** The first page of every document must contain the following information which may be single-spaced:
 1. The name, address and telephone number of the attorney appearing for a party or of an individual appearing pro se, must be printed or typewritten in the space to the left of the page's center and beginning at line one. Attorneys appearing pro hac vice and attorneys employed or retained by the United States or its agencies and authorized to practice in this court pursuant to Civil Local Rule 83.3.c.3, will list their bar numbers for the states of which they are active members. Attorneys appearing for a party must also include their California State Bar Number. The space to the right of the page's center must be reserved for the clerk's filing stamp.

Civil Rule 16.1 Pretrial and Setting for Trial

- c. **Early Neutral Evaluation ("ENE") Conference.**

- 2. If no settlement is reached at the ENE conference, the judicial officer may do one of the following:

- a. ~~Discuss the parties' willingness to agree to~~ Refer to non-binding arbitration or mediation, to ~~occur~~ within forty-five (45) days of the ENE conference, (1) in any case where the judicial officer believes arbitration or mediation might result in a cost-effective resolution of the lawsuit, and or (2) in any case where the parties have indicated an interest in ~~agreed to~~ arbitration or mediation. Additionally, a case management conference will be set in these cases approximately sixty (60) days after the ENE conference. ~~Parties participating in arbitration or mediation must comply with rules of arbitration and mediation adopted by General Order 387, copies of which are available from the clerk. The parties may stipulate to any other rules for the conduct of their arbitration or mediation.~~
- b. Where no arbitration or mediation is agreed upon ~~or ordered~~, the judicial officer must hold a case management conference within thirty (30) days after the ENE conference. The case management conference may be held at the conclusion of the ENE conference.

Patent Local Rules

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2. General Provisions

2.1 Governing Procedure.

- a. **Early Neutral Evaluation (“ENE”) Conference.** Within sixty (60) days

* * *

4. A dispositive motion filing cutoff date to include any motions addressing any Daubert issues;

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4. Claim Construction Proceedings

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4.2 Joint Claim Construction Chart, Worksheet and Hearing Statement.

Not later than fourteen (14) days after service of the “Responsive Claim Constructions,” pursuant to Patent L.R. 4.1.c, the parties must complete and file a Joint Claim Construction Chart, Joint Claim Construction Worksheet and Joint Hearing Statement.

- a. The Joint Hearing Statement must include an identification of the terms whose construction will be most significant to the resolution of the case up to a maximum of ten (10) terms. . . .

Criminal Rule 47.1 Motions

* * *

- e. **Length of Brief in Support of or Opposition to Motions.** Briefs or memoranda in support of or in opposition to all motions noticed for the same motion day must not exceed twenty-five (25) pages in length total for all such motions without leave of a district judge. ~~Any reply memorandum must exceed ten (10) pages without leave of a district judge.~~

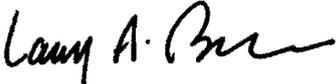
The period for public comment will be until December 27, 2013. Absent further order of this Court, the effective date of the Rules is January 1, 2014. Any comments should be submitted to the Clerk, U.S. District Court, at 333 W. Broadway, Suite 420, San Diego, California 92101. Please note on the envelope: "In re: Local Rule Amendments."

In light of the suggested changes to Civil Local Rule 16.1, General Order 387 is **VACATED**.

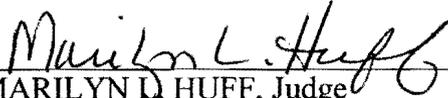
IT IS SO ORDERED.

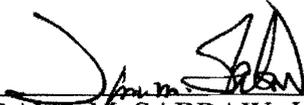
Dated: November 26, 2013

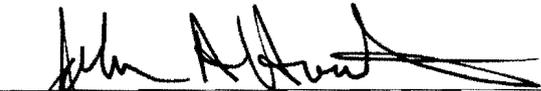

BARRY TED MOSKOWITZ, Chief Judge
United States District Court

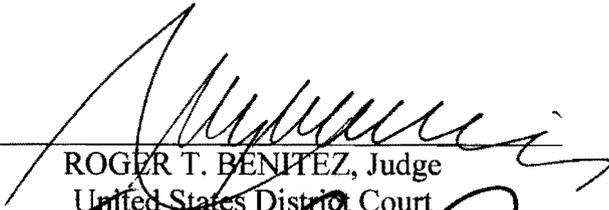

LARRY A. BURNS, Judge
United States District Court


WILLIAM Q. HAYES, Judge
United States District Court


MARILYN D. HUFF, Judge
United States District Court


DANA M. SABRAW, Judge
United States District Court

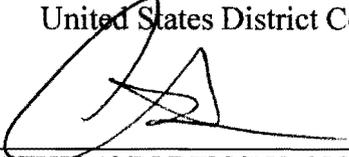

JOHN A. HOUSTON, Judge
United States District Court



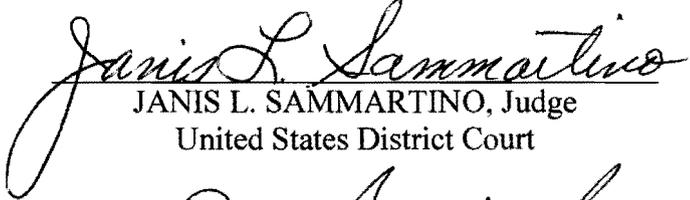
ROGER T. BENITEZ, Judge
United States District Court



MICHAEL M. ANELLO, Judge
United States District Court



CATHY ANN BENCIVENGO, Judge
United States District Court



JANIS L. SAMMARTINO, Judge
United States District Court



ANTHONY J. BATTAGLIA, Judge
United States District Court



GONZALO P. CURIEL, Judge
United States District Court