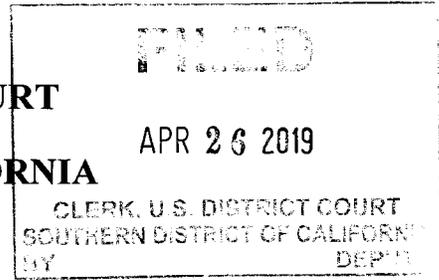


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA



In the matter of )  
 )  
**PROPOSED LOCAL RULE** )  
**CHANGES** )  
\_\_\_\_\_ )

General Order No. 709

After considering any public comment, the Court will consider amending the following Local Rules as follows:

**Civil Local Rule 5.1.j.3**

- 3. Below and to the left of the title of the court, the title of the action must be inserted. In the event the parties are too numerous for all to be named on the first page, the names of the parties may be carried onto the successive page(s).

In the space to the right of center the following will appear: The number of the action, a brief designation of the document’s nature, mention of any ~~notice of~~ motion or affidavits or memorandum in support and “Demand for Jury Trial”, if any.

**Civil Local Rule 7.1.e.1**

**e. Time for Hearing and Schedule for Filing Papers.**

- 1. **Twenty-eight (28) Day Rule -- Setting Time for Hearing.** When there has been an adverse appearance, a written notice of a matter requiring the court’s ruling is necessary, unless otherwise provided by rule or court order. Pursuant to the provisions of Civil Local Rule 7.1.b all hearing dates for any motion must be obtained from the law clerk of the judge to whom the case is assigned. Unless the court shortens time and except as otherwise specified in Civil Local Rule 7.1.e.6, any ~~notice of~~ motion, application, or notice of other matter requiring the court’s ruling, plus all necessary supporting documents, will require a minimum filing date of twenty-eight (28) days

prior to the date for which the matter is noticed. (For example, the ~~notice of~~ motion and supporting documents for a motion to be heard on a Monday must be filed and served no later than the fourth (4th) Monday prior to the Monday hearing. If the fourth Monday prior to the Monday hearing is a holiday, however, then the ~~notice of~~ motion and supporting documents would be due five (5) Fridays before the hearing.)

#### **Civil Local Rule 7.1.e.4**

- 4. Service of Motions and Opposition by Mail.** For those parties not required or authorized by the court to file and serve motions and oppositions electronically using the Case Management/Electronic Case Filing System, unless otherwise provided by order of the court, the sixty, (60) twenty-eight (28) and fourteen (14) day periods of notice set forth in Civil Local Rules 7.1.e.1, 7.1.e.2 and 7.1.e.6 are increased for purposes of mail service upon opposing parties of counsel by three (3) days. The extension of time for service does not extend court filing deadlines. Federal Rule of Civil Procedure 6(d), extending the time within which an act may or must, be done, does not apply to the notice periods governed by this section. Any motion, ~~notice of~~ motion, or opposition, and supporting documentation will not be accepted for filing unless accompanied by proof of service demonstrating either hand-delivery or compliance with this section's mailing provisions.

#### **Civil Local Rule 7.1.f.1**

- 1. Motions, Notices, Statement of Facts.** Each motion or other request for ruling by the court must be accompanied by a separate motion and notice of motion and another separate document captioned "Memorandum of Points and Authorities in support of [the motion]." include within it a Memorandum of Points and Authorities in support of the motion and a caption listing the nature of the motion, hearing date and time, and the judge who will hear the motion. Where appropriate, a separate or a joint statement of material facts, required declarations or affidavits, or exhibits, must be supplied.

**Civil Local Rule 7.1.f.2.a**

**2. Movant**

- a. In addition to the affidavits required or permitted by Fed. R. Civ. P. 6(d) and 56, copies of all documentary evidence which the movant intends to submit in support of the motion, or other request for ruling by the court, must be served and filed with the ~~notice of motion~~.

**Civil Local Rule 83.3.f.3.a**

**3. Withdrawals.**

- a. A ~~notice of motion~~ to withdraw as attorney of record must be served on the adverse party and on the moving attorney's client.

**Criminal Local Rule 47.1.b.3**

- 3. **Accompaniments.** Each motion or other request for ruling by the court must be accompanied by a separate ~~notice of motion and another separate document captioned memorandum of points and authorities or memorandum of law in support of the motion~~ include within it a Memorandum of Points and Authorities in support of the motion and a caption listing the nature of the motion, hearing date and time, and the judge who will hear the motion. Where appropriate a separate or a joint statement of material facts, required declarations or affidavits, or exhibits, must be supplied.

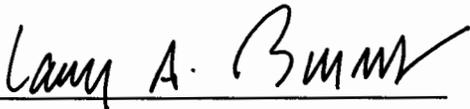
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The period of public comment will be until MAY 26, 2019. Absent further order of this Court, the effective date of the Rule amendments is JUNE 25 2019. Any comments should be submitted to the Clerk of the Court, United States District Court, at 333 West Broadway, Room 420, San Diego, California 92101.

\* \* \*

IT IS SO ORDERED.

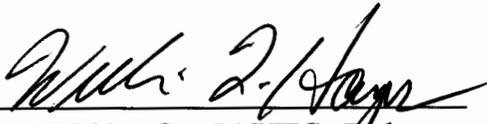
Dated: 4.26.19



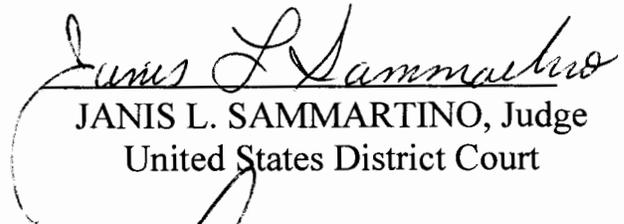
LARRY ALAN BURNS,  
Chief Judge  
United States District Court



DANA M. SABRAW, Judge  
United States District Court



WILLIAM Q. HAYES, Judge  
United States District Court



JANIS L. SAMMARTINO, Judge  
United States District Court



ANTHONY J. BATTAGLIA, Judge  
United States District Court



CATHY ANN BENCIVENGO, Judge  
United States District Court



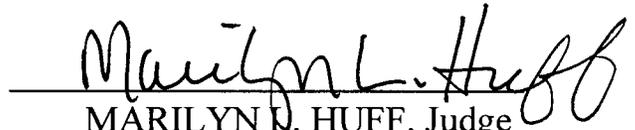
GONZALO P. CURIEL, Judge  
United States District Court



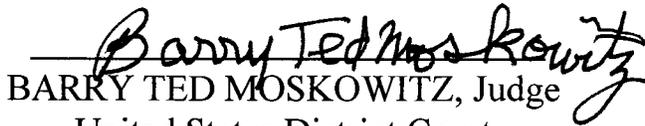
CYNTHIA BASHANT, Judge  
United States District Court



WILLIAM B. ENRIGHT, Judge  
United States District Court



MARILYN D. HUFF, Judge  
United States District Court



BARRY TED MOSKOWITZ, Judge  
United States District Court



JEFEREY T. MILLER, Judge  
United States District Court



THOMAS J. WHELAN, Judge  
United States District Court

*See attached*

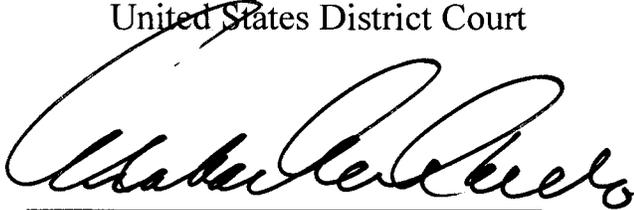
M. JAMES LORENZ, Judge  
United States District Court

*See attached*

JOHN A. HOUSTON, Judge  
United States District Court

*See attached*

ROGER T. BENITEZ, Judge  
United States District Court



MICHAEL M. ANELLO, Judge  
United States District Court

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WILLIAM B. ENRIGHT, Judge  
United States District Court

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MARILYN L. HUFF, Judge  
United States District Court

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BARRY TED MOSKOWITZ, Judge  
United States District Court

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JEFFREY T. MILLER, Judge  
United States District Court

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THOMAS J. WHELAN, Judge  
United States District Court

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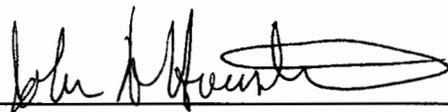
JEFFREY T. MILLER, Judge  
United States District Court

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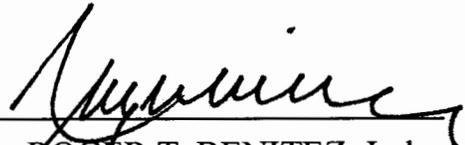
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M. JAMES LORENZ, Judge  
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