

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

Priority
Send
Enter
Closed
S-5/JS-6
S-2/JS-3
Scan Only

FILED
CLERK, U.S. DISTRICT COURT
08-15-02
AUG 15
CENTRAL DISTRICT OF CALIFORNIA
DEPU
BY

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Equal Employment Opportunity
Commission,

Plaintiff(s),

v.
West Covina Motors, Inc.,

Defendant(s).

CASE NO: CV 02-6382-SVW(Ex)

NEW CASE ORDER
ENTERED ON ICMS
AUG 16 2002
CV

This case has been assigned to the calendar of Judge Stephen V. Wilson.
The Court fully adheres to Rule 1 of the Federal Rules of Civil Procedure which
requires that the Rules be "construed to secure the just, speedy and inexpensive
determination of every action."

Counsel should also be guided by the following special requirements:

1. The Plaintiff shall promptly serve the complaint in accordance with the
Fed. R. Civ. P. 4 and file the proofs of service pursuant to Local Rule 5-3.
2. The attorney attending any proceeding before this Court must be the
attorney who is primarily responsible for the conduct of the case.

///
///

3

1 3. Motions: Motions shall be filed and set for hearing in accordance with
2 Local Rule 7-4 through 7-8. Motions are heard on Mondays at 1:30 p.m., unless
3 otherwise ordered by this Court. If Monday is a national holiday, this Court DOES
4 NOT hear motions on the succeeding Tuesday. Any motions noticed for a holiday
5 shall automatically be set to the next Monday without further notice to the parties.

6 A. Page Limits: Memoranda of Points and Authorities in support of or in
7 opposition to motions shall not exceed 25 pages. Replies, thereto, shall not exceed
8 12 pages. These are maximum page limits. It is the Court's preference that the
9 pleadings be shorter. If it cannot be said briefly, then it is not a "brief."

10 B. Motions for Summary Judgment: Use of depositions.

11 Pursuant to Local Rule 32-1, no original or copy of a deposition shall be
12 lodged in support of a Motion for Summary Judgment (or other substantive
13 motion). Counsel shall file the pertinent excerpts of depositions as an exhibit or
14 supplement to said motion.

15 4. DISCOVERY: ALL DISCOVERY MATTERS HAVE BEEN
16 REFERRED TO A UNITED STATES MAGISTRATE JUDGE (see initial
17 designation in parenthesis following the case number) for the specific purpose of
18 hearing all discovery matters. Discovery disputes of a significant nature should be
19 brought promptly before the Magistrate Judge. The Court does not look favorably
20 upon delay resulting from unnecessarily unresolved discovery disputes. Any
21 discovery disputes that are not resolved three (3) weeks prior to the scheduled trial
22 date should be brought promptly and directly to the attention of this Court.
23 Counsel are directed to contact the clerk for the assigned Magistrate Judge to
24 schedule matter for hearing. The words DISCOVERY MATTER shall appear in
25 the caption of all documents relating to discovery to insure proper routing.

26 The decision of the Magistrate Judge shall be final and binding, subject to
27 modification by the District Court only where it has been shown that the
28 Magistrate Judge's order is clearly erroneous or contrary to law.

1 Within ten (10) days of an oral ruling which the Magistrate Judge indicates
2 will not be followed by a written ruling, or within ten (10) days of service upon
3 him/her of a written ruling any party may file and serve a motion for review and
4 reconsideration before this Court, specifically designating the portions of the
5 decision objected to and specifying wherein such portions of the decision are
6 clearly erroneous or contrary to law, with points and authorities in support thereof.
7 A copy of the moving papers and responses, etc., shall be delivered to the
8 Magistrate Judge's clerk for review upon the filing of said documents.

9 5. EX PARTE APPLICATIONS: Ex parte applications are considered on
10 the papers and are not set for hearing. Counsel are advised to file and serve their
11 ex parte applications as soon as they realize that extraordinary relief is necessary.
12 Counsel are advised that this Court allows ex parte applications solely for
13 extraordinary relief. Sanctions may be imposed for misuse of ex parte applications.
14 See In Re: Intermagnetics America, Inc., 101 Bankr. 191 (C.D. Cal. 1989). The
15 requesting party shall notify the responding party that opposing papers must be
16 filed not later than 3:00 p.m. on the first business day succeeding the day the ex
17 parte was served. If counsel are not going to oppose the ex parte application, they
18 must inform the clerk at (213)894-2881. Counsel will be notified by the clerk of
19 the Court's ruling.

20 6. TRIAL PREPARATION: This Court strives to set trial dates as early as
21 possible and does not approve of unnecessarily protracted discovery. This Court
22 issues an "Order Re: Trial Preparation" upon the setting of a trial date.

23 7. CONTINUANCES: Continuances are granted only upon a showing of
24 good cause, particularly focusing upon evidence of diligent work by the party
25 seeking delay and of prejudice that may result from the denial of a continuance.
26 Counsel requesting a continuance **MUST** submit a detailed declaration as to the
27 reason. Any continuances requested not accompanied by said declaration will be
28 rejected without notice to the parties. The Court sets firm trial dates and will not

1 change them without good cause having been shown.

2 8. STIPULATIONS: NO stipulations extending scheduling dates set by this
3 Court are effective unless approved by this Court. All stipulations must be
4 accompanied by a detailed declaration explaining the reason for the stipulation.
5 Any stipulation not in compliance with this Order or the Local Rules of the Central
6 District will automatically be rejected without notice to the parties. Stipulations
7 shall be submitted well in advance of the relief requested. Counsel wishing to
8 know whether or not a stipulation has been signed shall comply with Local Rule
9 11-4.5.

10 9. NOTICE: Counsel for plaintiff, or plaintiff, if appearing on his or her
11 own behalf, is required to promptly give notice of these requirements to the
12 opposing parties or their counsel. If this case came to this Court via a Petition for
13 Removal, this burden falls to the removing defendant.

14 10. NOTICE OF REMOVAL: Any answers filed in state court must be re-
15 filed in this Court as a supplement or exhibit to the Notice. If an answer has not, as
16 yet, been filed, said answer or responsive pleading shall be filed in accordance with
17 the Federal Rules of Civil Procedure and the Local Rules of the Central District.
18 Any pending motions must be re-noticed according to Local Rule 7-4.

19 11. BANKRUPTCY APPEALS: Counsel shall comply with the ORDER
20 RE PROCEDURE TO BE FOLLOWED IN APPEAL FROM BANKRUPTCY
21 COURT issued at the time the appeal is filed in the District Court. The matter is
22 considered submitted upon the filing of the appellant's reply brief. No oral
23 argument is held unless by order of this Court.

24 12. TRANSCRIPTS: Requests for transcripts shall be made in writing to:
25 Lena Villegas, U.S. Courthouse, 312 N. Spring St., 4th Fl., Los Angeles, CA 90012.
26 Ms. Villegas telephone number is (213) 680-1265. Arrangements for daily
27 transcripts shall be made not later than five (5) days prior to the hearing or trial to
28 be transcribed. Requests for daily transcripts made on the day of the hearing/trial

1 to be transcribed may not be honored; it shall be at the discretion of Ms. Villegas.
2 Counsel representing the United States or one of its agencies shall present a
3 preauthorization purchase order when ordering transcripts.


4

5 Dated: AUG 15 2002

6

7

8



STEPHEN V. WILSON
UNITED STATES DISTRICT JUDGE

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28