

## **MAGISTRATE JUDGE MICHAEL J. SENG**

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### **I. GENERAL INFORMATION**

- A. Filing.** No civil filings are accepted in Yosemite. We are supported by the Fresno Division of the Clerk's Office. Please contact them at (559) 499-5600.
- B. Telephonic appearances.** Parties may appear telephonically by making reservations through Court Call at 866-582-6878. Please send confirmations of reservations (and/or questions) to [mjsorders@caed.uscourts.gov](mailto:mjsorders@caed.uscourts.gov) and [lyu@caed.uscourts.gov](mailto:lyu@caed.uscourts.gov).
- C. Documents Requiring Court Approval.** As required by Local Rule, counsel shall submit via email to [mjsorders@caed.uscourts.gov](mailto:mjsorders@caed.uscourts.gov) all proposed orders, applications, requests, stipulations, etc., in either Word Perfect (preferred) or Microsoft Word format. Pursuant to Local Rule 131(a)(c), the document should include the attorney(s) electronic signature(s) (i.e. /s/ First Last name), as well as the date the document was signed.

### **II. CIVIL CASES**

- A. Motion hearings.** Matters are heard at 9:30 a.m. on the 2nd and 4th Friday of every month in Courtroom 6 of the Fresno courthouse. Dates DO NOT need to be cleared in advance with the Court. Moving papers are to be filed in accordance with the Local and Federal Rules. If the date chosen by the filing party conflicts with the Court's calendar, the Court will reschedule the matter by minute order. Motion dates may not be reserved.
- B. Discovery motions.** No written discovery motion may be noticed or set for hearing before Magistrate Judge Michael J. Seng without his prior approval.  
A party with a discovery dispute shall confer with the opposing party in a good faith effort to resolve the dispute without court action. If such effort

fails, the moving party shall, prior to filing a notice of motion, email to [MJSorders @caed.uscourts.gov](mailto:MJSorders@caed.uscourts.gov) a request for a pre-motion telephone conference with the Magistrate Judge. The request shall be deemed to include a professional representation by the requesting lawyer that a good faith effort to resolve the dispute took place but failed, and it shall advise the Court of dates and times in the next ten day period when any concerned party cannot be available to confer regarding the dispute.

Upon emailing the request, the moving party shall contact the Court's Career Law Clerk at the number provided above and advise of the issues in dispute.

The Court will issue a minute order advising counsel of the time and date of the telephone conference. The parties shall make reservations to appear through Court Call. No recording of the conference shall take place except with prior permission of the Court. No papers shall be filed or lodged in connection with the conference unless the Career Clerk determines that same are necessary to enable the Magistrate Judge to resolve the dispute.

If the Magistrate Judge decides that motion papers and supporting memoranda are needed to satisfactorily resolve the dispute, he shall approve the filing of a written motion filed in conformity with Local Rule 251(a). (The provisions of local Rule 251 (b) through (f) will not apply unless the Magistrate Judge so orders.) Such motion shall, without limitation, (1) quote in full each interrogatory, deposition question, request for admission, or request for production in dispute and (2) the response or objection and grounds therefor as stated by the opposing party.

Unless otherwise ordered by the Court, deposition transcripts or discovery papers shall not be lodged or filed with the Court.

- C. Settlement Conferences.** Settlement Conferences will be scheduled on the 2nd and 4th Thursday of each month in Courtroom 6 of the Fresno Courthouse. Parties with **full authority** to settle must appear with counsel unless otherwise ordered. Telephonic appearances are discouraged but may be considered. A written request with cause must be forwarded to Judge Seng for approval.

Each party must submit a settlement conference statement to Judge Seng's Yosemite chambers at least seven (7) calendar days prior to the Settlement Conference. Electronic versions may be emailed to [mjsorders@caed.uscourts.gov](mailto:mjsorders@caed.uscourts.gov). Each party's Settlement Conference Statement should be brief but as lengthy as the party deems necessary to provide the information requested by the Court. However, any Settlement

Conference Statement that exceeds six (6) double-spaced pages, MUST be accompanied by a summary or outline of same not to exceed three (3) double-spaced pages.

- D. Scheduling Conferences.** A Joint Scheduling Conference Report carefully prepared and executed by all counsel, shall be electronically filed in CM/ECF in full compliance with the requirements set forth in the previously served ORDER SETTING MANDATORY SCHEDULING CONFERENCE at least one (1) full week prior to the Scheduling Conference, and shall be emailed, in WordPerfect or Word format, to [mjsorders@caed.uscourts.gov](mailto:mjsorders@caed.uscourts.gov).

### **III. CRIMINAL MOTIONS AND HEARINGS**

- A. Hearings.** Criminal hearings are set daily (as necessary) at 1:30 p.m. at the Yosemite Court, 9004 Castle Cliff Court, Yosemite Valley. Contact Laurie C. Yu to set criminal matters and to advise regarding the need for interpreters, court-appointed counsel, pretrial services, probation, U.S. Marshals and/or any other Federal Law Enforcement agency.

### **IV. CENTRAL VIOLATIONS BUREAU (CVB) VIOLATION NOTICES.**

If you were referred to chambers to speak with Laurie C. Yu regarding a violation involving the Central Violations Bureau, please email her at [lyu@caed.uscourts.gov](mailto:lyu@caed.uscourts.gov) or see frequently asked questions below.

#### **FREQUENTLY ASKED QUESTIONS RE: CVB MATTERS**

- A. Payments.** Payments are not accepted in Court or at the Yosemite Courthouse. You may mail your payment to CVB or pay by using the CVB website at [www.cvb.uscourts.gov](http://www.cvb.uscourts.gov) and using a credit card, debit card, or checking account. **NO EXTENSIONS of time to pay a Court ordered fine will be granted.** If you miss your deadline, you risk late penalties and referral to a collection agency. Please contact CVB directly at 1-800-827-2982 to ascertain late fees, etc.

- B. Traffic School.** All moving violations are reported to the Department of Motor Vehicles regardless of state. You may request traffic school by submitting a written request that includes violation number, name and an self addressed, stamped envelope to:

The Central Violations Bureau Clerk  
P.O. Box 575  
Yosemite National Park, CA 95389

Please note, it may take a 4 to 6 weeks to receive a reply, DO NOT PAY YOUR TICKET before receiving traffic school instructions.

- C. Abstracts/Arrest Warrants.** If the Court has issued an arrest warrant or

filed an abstract against you, your only remedy is to pay your fine or request a new court date. Your abstract or arrest warrant will NOT be released UNTIL all monetary penalties and fines imposed on you are PAID IN FULL.

- D. Appearances in Court.** If you are unable to appear before the Court on the date stated on your violation, you can request in writing that the Court assign you a new court date. Please include in your written request the original court date and the date to which you wish your case to be moved. The new court date must be at 1:00 PM on a Tuesday no more than 30 days from the original court date. Requests may be faxed to (209) 372-0324 or emailed to [lyu@caed.uscourts.gov](mailto:lyu@caed.uscourts.gov).

## **V. OTHER QUESTIONS**

If you have been issued a citation, please read it carefully. Most questions can be answered by doing so. If, after reading the citation and the information here, you still have a question, you may direct it by telephone, mail, or e-mail to Courtroom Deputy Laurie Yu at the number and addresses provided above. Please understand that the demands of daily court business and court appearances often leave us unable to personally answer the court phone or respond immediately to inquiries. However, it is our practice to respond to all inquiries within 24 hours of receipt.