

U.S. Magistrate Judge Allison Claire
United States District Court, Eastern District of California
501 I Street, Courtroom #26, 8th Floor
Sacramento, California 95914

Valerie Callen, Courtroom Deputy Clerk
(916) 930-4199
vcallen@caed.uscourts.gov

CONSENT TO PROCEED BEFORE MAGISTRATE JUDGE IN CIVIL CASES: In accordance with 28 U.S.C §636(c), F.R.Civ.P.73 and Local Rule 305, the United States Magistrate Judges of the Eastern District are available to exercise the court's case dispositive jurisdiction and to conduct any or all case dispositive proceedings, including motions to dismiss, motions for summary judgment, a jury or non-jury trial, and entry of a final judgment. Exercise of this jurisdiction by a Magistrate Judge is permitted only if all parties file a voluntarily consent form. The primary benefit of consent to magistrate judge jurisdiction is that the trial calendars of magistrate judges tend to be less congested and more flexible than those of district judges, because magistrate judges do not conduct felony criminal trials.

<http://www.caed.uscourts.gov/caednew/assets/File/Consent%20on%20web.pdf>

CIVIL LAW AND MOTION: Civil law and motion is heard every Wednesday at 10:00 a.m. Contact courtroom deputy Valerie Callen, (916) 930-4199, to confirm availability of dates.

CRIMINAL LAW AND MOTION: Criminal law and motion is heard every Monday at 9:00 a.m.

SETTLEMENT CONFERENCES: As scheduled by Courtroom Deputy.

- a) Confidential Settlement Conference Statements are **mandatory** from each party and must be submitted to Judge Claire's chambers at least seven (7) calendar days prior to the Settlement Conference. Electronic submission may be made to acorders@caed.uscourts.gov.
- b) Parties must appear with counsel. Telephonic appearances are discouraged and will be permitted only in the rarest of circumstances, upon written request for good cause.

TELEPHONIC APPEARANCES: Other than for settlement conferences, telephonic appearances are generally acceptable and do not require motion or written request. Please contact the courtroom deputy at least **two days prior** to a hearing date to make arrangements for a telephonic appearance.

PROPOSED ORDERS: As required by the Local Rules, counsel shall submit via email to acorders@caed.uscourts.gov, the proposed order accompanying any application, request, stipulation or motion in **Microsoft Word** format. Pursuant to Local Rule 131 (c), the document

must include the attorneys' electronic signature(s) (i.e. /s/ First/Last name), as well as the date the document was signed.

DISCOVERY DISPUTES – HEARINGS AND JOINT STATEMENTS: Local Rule 251 (Fed. R. Civ. P. 37) requires the parties to file a Joint Statement re Discovery Disagreement (“Joint Statement”). Judge Claire strictly enforces the deadline for filing Joint Statements. Any motion will be removed from calendar if the Joint Statement is not filed at least seven (7) days before the scheduled hearing date (i.e., no later than the Wednesday before the customary Wednesday hearing).

As required by Local Rule 251(c), the Joint Statement must include in a single document all argument and briefing related to the respective positions of the parties, and must reproduce in full each discovery request objected to and each objection. Any exhibits, including declarations, should be electronically filed as **attachments** to the Joint Statement, **not as separate docket entries**.

Courtesy copies of all Joint Statements, with declarations, exhibits and other **attachments tabbed**, are **mandatory** and should be delivered to the Clerk of Court at least seven (7) days before the scheduled hearing.

Judge Claire also strictly enforces meet and confer requirements. Written correspondence between the parties, including email, is insufficient to satisfy the parties’ meet and confer obligations under Local Rule 251(b). Prior to the filing of a Joint Statement, the parties must **confer in person or via telephone or video conferencing** in an attempt to resolve the dispute.

DISCOVERY DISPUTES – INFORMAL TELEPHONIC CONFERENCES: Judge Claire encourages early resolution of discovery disputes outside the formal Local Rule 251 procedures. Upon order of the court in an appropriate case, or by agreement of the parties, Judge Claire will resolve discovery disputes by conducting an informal telephonic conference. The procedures for obtaining and participating in an informal telephonic discovery conference are set forth in Judge Claire’s Policy re Informal Telephonic Discovery Conferences. These procedures include a meet and confer requirement (see above) and require a 2-page synopsis of the dispute in lieu of a formal Joint Statement.

[http://www.caed.uscourts.gov/caednew/assets/File/Judge%20Claire%20Telephonic%20Discovery%20Conferences\(2\).pdf](http://www.caed.uscourts.gov/caednew/assets/File/Judge%20Claire%20Telephonic%20Discovery%20Conferences(2).pdf)

COURTESY COPIES – MOTION-RELATED DOCUMENTS: Except as provided above regarding Joint Statements re Discovery Disputes, and any contrary provisions of the Local Rules notwithstanding, courtesy copies of motion-related documents that are electronically filed or submitted to Judge Claire via email are unnecessary and **should not be filed** unless specifically requested by the court.

COURTESY COPIES – EXHIBITS FOR USE AT TRIAL OR EVIDENTIARY HEARING: Courtesy copies of exhibits that a party intends to offer at trial or evidentiary hearing shall be provided pursuant to the applicable scheduling order, individually tabbed and contained in a three-ring binder.

TRANSCRIPT ORDERS: If you wish to order a transcript for a hearing held before Judge Claire (or another magistrate judge in the Eastern District – Sacramento Division), you must complete the Electronic Court Reporter Transcript Order Form or the Appeal Transcript Designation and Order Form as appropriate. These forms can be found on the court's internet home page.

1. From the Court home page, select Attorney Info.
2. Select Sacramento.
3. Scroll down and select Forms.
4. Select Civil Forms.
5. Scroll down and click on Appeal Transcript Designation and Order Form or Electronic Court Reporter Transcript Order Form

Completed forms should be submitted to Jonathan Anderson, (916) 930-4072 or janderson@caed.uscourts.gov.

AUDIO/VISUAL EQUIPMENT: The Sacramento Clerk's Office has a variety of audio/visual equipment available to use for trial purposes. Available equipment may include: ELMOs, projectors, plasma screens, TVs and VCRs. In order to learn about the equipment provided by the court, you can access our internet home page and follow these procedures:

1. From the Court's home page, select Attorney Info.
2. Select Sacramento.
3. Scroll down and select Electronic Courtroom.
4. Select Audio Systems or Video Systems as applicable.

Attorneys should arrange, through the Courtroom Deputy, a time to meet with court Information Technology staff for training on electronic equipment. Appointments should be scheduled at least one to two weeks prior to trial.

COURTROOM DEPUTY: If you have any questions or need further information, please contact Valerie Callen at (916) 930-4100 or vcallen@caed.uscourts.gov.