Information and Procedures for Civil Matters Before JDP

Magistrate Judge Jeremy D. Peterson
Eastern District of California

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I. GENERAL INFORMATION

A. Court Information

Please call the Clerk's Office Helpdesk at 916-930-4000 for all case related or filing questions.

B. Telephonic Appearances

Parties in civil matters proceeding before Judge Peterson generally appear by telephone. Scheduling requests are made through the Courtroom Deputy.

C. Documents Requiring Court Approval

In keeping with the Local Rules of the Eastern District, counsel must email to chambers (jdporders@caed.uscourts.gov) all proposed orders, applications, requests, stipulations, etc., in an editable format, such as Microsoft Word. Per Local Rule 131(a)(c), the emailed document must include the attorney(s)' electronic signature(s) (*i.e.*, /s/ Name), as well as the date signed. Include the case name and case number in the subject line of all emails.

II. PROCEDURES FOR CIVIL MATTERS

A. Motions and Hearing Dates

Parties should contact the Courtroom Deputy for available dates. Judge Peterson may elect to take a matter under submission without a hearing, pursuant to Local Rule 230(g).

B. Scheduling Conferences

If the court sets a mandatory scheduling conference, the parties must file a joint scheduling conference report at least one full week prior to the scheduling conference. The parties must also email the report, in an editable format, to jdporders@caed.uscourts.gov.

C. No Paper Copies

Paper courtesy copies should not be provided to court chambers unless specifically requested.

D. Discovery Motions

Judge Peterson will not consider any discovery motions without prior approval obtained in accordance with the following procedures:

1. Requesting a Conference

   A party with a discovery dispute must confer with the opposing party in a good faith effort to resolve the dispute without court action. If such effort fails, the moving party must, prior to filing a notice of motion, contact the Courtroom Deputy to request a pre-motion telephone conference with Judge Peterson. 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 must advise the court of dates and times when all concerned parties can be available to confer regarding the dispute.

2. Scheduling

   The court will issue a minute order advising counsel of the time and date of the telephone conference.

3. Briefing

   Unless otherwise indicated by the court, each party may submit a brief outlining the dispute, the party's position on it, and the reasons for the dispute to jdporders@caed.uscourts.gov, no later than twenty-four hours before the scheduled conference. Any such brief is limited to three pages in length and must include the name of the party and the date of submission. Attachments are prohibited.

4. The Conference

   At the conference, the court will discuss the issue raised and may announce an anticipated ruling on the dispute. If a party is dissatisfied with the conference, it may seek permission to file a formal motion.

5. Further Proceedings

   If the parties believe motion papers and supporting memoranda are needed to resolve a dispute, Judge Peterson must approve the filing of a written motion filed in keeping with Local Rule 251(a). (The provisions of Local Rule 251(b) though (f) will not apply unless the

Judge so orders.) Any such motion filed should (1) quote in full each interrogatory, deposition question, request for admission, or request for production that is in dispute, and (2) state the response or objection and grounds therefor as articulated by the opposing party. Unless otherwise ordered by the court, deposition transcripts or discovery papers are not to be filed with the court. The briefing schedule shall proceed as prescribed in Local Rule 230. Except for exhibits and other supporting documents, no discovery motion, response, or reply shall exceed 20 pages without leave of the court.

E. <u>Settlement Conferences</u>

Parties may contact chambers to request that a magistrate judge serve as mediator in a settlement conference. In cases mediated by Judge Peterson, he will issue a pre-conference order establishing procedures and expectations for the settlement conference. This order may require a pre-conference statement from each party and a pre-conference telephone call with the lead attorneys.