

UNITED STATES MAGISTRATE JUDGE ERICA P. GROSJEAN (EPG)

United States District Court - Eastern District of California

2500 Tulare Street, Courtroom 10, 6th Floor

Fresno, California 93721

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Standard Procedures for U.S. Magistrate Judge Erica P. Grosjean

1. Civil Law and Motion Calendar

- a. Hearings on motions are to be noticed for Fridays at 10:00 am in Courtroom 10.
- b. Parties do not need to clear a motion hearing date. Parties should list their proposed hearing date on their moving papers in accordance with the Local Rules. If the date conflicts with the Court's calendar, the Court will reschedule the matter and issue a minute order with a new date. If parties do not hear from the Court, they should plan to attend the hearing on the date listed in their motion papers.
- c. The Court generally hears oral argument on all motions. If, however, the Court decides the matter is suitable for decision without oral argument, a minute order will issue vacating the hearing and taking the matter under submission, pursuant to Local Rule 230(g).
- d. Length of Motion Papers - the parties are advised that unless prior leave of Court is obtained before the filing deadline, all moving and opposition briefs or legal memoranda filed in civil cases before Magistrate Judge Grosjean shall not exceed twenty-five (25) pages. Reply briefs by the moving party shall not exceed ten (10) pages. These page limits do not include exhibits. Parties may seek leave for additional pages through a telephonic conference with all parties, or by brief motion.
- e. Judge Grosjean does **NOT** issue tentative rulings.

2. Informal Discovery Conferences

- a. In order to file a discovery motion, including motions pursuant to Fed. R. Civ. P. 37 or 45, a party must receive permission from the Court following an informal telephonic discovery dispute conference. Non-parties challenging a subpoena under Fed. R. Civ. P. 45 are not required to request an informal conference before filing a motion. Any party(ies) wishing to schedule such a conference should

contact Courtroom Deputy Michelle Means Rooney at mrooney@caed.uscourts.gov, with all parties to the dispute copied, advising the Court of the parties' available dates and times within a one-week period. The Court will set the conference as soon as possible, taking into consideration the urgency of the issue, and on a date and time convenient for the involved parties and the Court. The minute order will advise the parties on how to connect to the Court's toll-free conference line.

- b. **Prior to the conference, at the time selected, the parties shall simultaneously file an “Informal Discovery Dispute Letter Brief,”** outlining their positions regarding the dispute. Such letters shall be no longer than three (3) pages single-spaced, and may include up to five (5) pages of exhibits. The Letter Briefs shall be **filed** at least **one full court day** before the scheduled conference, *unless otherwise ordered by the Court*. The Letter Briefs shall also be emailed to the Court at epgorders@caed.uscourts.gov.
- c. The Court will not issue a formal ruling at that time. Nevertheless, the Court will attempt to provide guidance to the parties to narrow or dispose of the dispute. If no resolution can be reached without formal motion practice, the Court will authorize filing of a formal discovery motion.
- d. Formal discovery motions shall comply with Local Rule 251.

3. Telephonic Appearances

- a. The Court encourages personal appearance for all hearings. That said, counsel or pro se parties may appear and argue non-dispositive and dispositive motions by telephone, provided a written request to so do is made to Magistrate Judge Grosjean's Courtroom Deputy no later than five (5) court days before the noticed hearing date. Although in-person appearances will not usually be required for out-of-town attorneys, the Court discourages telephonic appearances for local attorneys in the Fresno area. Telephonic appearances for scheduling conferences will generally be permitted for all attorneys.

4. Adherence to Scheduling Order in Civil Cases

- a. The dates set forth in Scheduling Orders issued by the Court are considered to be firm and will not be modified absent a showing of good cause, even if the parties file a stipulation to modify the schedule. Stipulations extending the deadlines contained in the Scheduling Order will not be considered unless they are accompanied by affidavits or declarations with attached exhibits, where appropriate, which establish good cause for granting the requested relief.
- b. Due to the impacted nature of the civil case docket, this Court disfavors requests to modify established dates.