

16-9. Case Management Statement and Proposed Order.

(a) Joint or Separate Case Management Statement. Unless otherwise ordered, no later than the date specified in FRCivP 26(f), counsel must file a Joint Case Management Statement addressing all of the topics set forth in the Standing Order for All Judges of the Northern District of California – Contents of Joint Case Management Statement, which can be found on the Court’s website located at <http://www.cand.uscourts.gov>. If one or more of the parties is not represented by counsel, the parties may file separate case management statements. If a party is unable, despite reasonable efforts, to obtain the cooperation of another party in the preparation of a joint statement, the complying party may file a separate case management statement, accompanied by a declaration describing the conduct of the uncooperative party which prevented the preparation of a joint statement. Separate statements must also address all of the topics set forth in the Standing Order referenced above.

(b) Case Management Statement in Class Action. Any party seeking to maintain a case as a class action must include in the Case Management Statement required by Civil L.R. 16-9(a) the following additional information:

- (1)** The specific paragraphs of FRCivP 23 under which the action is maintainable as a class action;
- (2)** A description of the class or classes in whose behalf the action is brought;

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(3) Facts showing that the party is entitled to maintain the action under FRCivP 23(a) and (b); and

(4) A proposed date for the Court to consider whether the case can be maintained as a class action.