

Los Angeles Superior Court - Alhambra Courthouse

Department X Courtroom Information

Judge: Hon. Lauren A.R. Lofton
Judicial Assistant: Maria Vegerano-Núñez
Courtroom Assistant: Leslie Wong

Court Address: 150 West Commonwealth, Alhambra, CA 91801
Courtroom Telephone No.: (626) 293-2119
Courtroom Hours: 8:30 a.m. to 12:00 p.m. and 1:30 p.m. to 4:30 p.m.

Department X is an independent calendar court. Parties and counsel should review the provisions of the California Code of Civil Procedure, California Rules of Court (<https://www.courts.ca.gov/rules.htm>), and Los Angeles Superior Court Local Rules, Chapter 3, Civil Division Rules (“Local Rules”) that apply to unlimited civil actions in independent calendar courts (<http://www.lacourt.org/courtrules/ui/index.aspx?ch=Chap2&ct=TR&tab=2>). Parties and counsel are also encouraged to review the California Evidence Code.

CIVILITY

The court places a very high value on civility, courtesy, and professionalism in the practice of law and the judicial process. (Local Rule 3.26, Appendix 3.A; *Karton v. Ari Design & Construction, Inc.* (2021) 61 Cal.App.5th 734, 747. See also Attorney Civility and Professionalism, <https://www.calbar.ca.gov/attorneys/conduct-discipline/ethics/attorney-civility-and-professionalism>.) All attorneys and parties are expected to treat each other, witnesses, jurors, court personnel, the court, and others with the highest level of civility, courtesy, and professionalism, both inside and outside the courtroom. The court expects all attorneys and parties to grant reasonable requests for professional courtesies, such as requests for reasonable extensions of time for deadlines to respond to pleadings, discovery, or other matters. Although not legally required for every motion, the court strongly encourages parties and counsel to confer on potential resolution of issues prior to any motion being filed.

TELEPHONIC/VIDEO APPEARANCES

Counsel/parties are encouraged to appear in person for case management and motion hearings. LA CourtConnect (<https://my.lacourt.org/laccwelcome>) is available for all non-evidentiary telephonic/video appearances. The court also encourages counsel to make a video appearance in lieu of audio/telephonic only appearance. In addition to a personal appearance at trial, **trial counsel are required to personally appear in court for the Final Status Conference unless otherwise ordered by the court.** Refer to California Rules of Court Rule 3.670 for further details.

CASE MANAGEMENT CONFERENCES

Case Management Conferences are held Monday through Thursday at 8:30 a.m. The parties must comply with California Rules of Court, rule 3.722, et seq., and Local Rule 3.25 in connection with such conferences.

EX PARTE APPLICATIONS

Ex parte applications will be considered Monday through Friday at 8:30 a.m. All ex parte applications and documents in support thereof must be electronically filed no later than 10:00 a.m. the court day before the hearing. Any written opposition shall be electronically filed by 8:30 a.m. on the day of the hearing. Pursuant to California Rules of Court, rule 2.253(b)(2), self-represented litigants are exempt from these mandatory electronic filing requirements. All ex parte applications must make an affirmative showing of “irreparable harm, immediate danger, or any other statutory basis for granting relief ex parte” as required by California Rules of Court, rule 3.1202.

DISCOVERY

The court requires all counsel to exhaust all legally required meet and confer efforts **before** filing a discovery motion. The court may conduct an informal discovery conference (IDC) to assist counsel in resolving discovery disputes informally. IDCs are held Monday through Thursday, between 2:00 and 3:00 p.m.

LAW AND MOTION

Law and motion hearings are conducted Monday through Thursday beginning at 8:30 a.m. Unless otherwise set by the court, summary judgment/adjudication motions will be heard on Tuesdays and Thursdays at 8:30 a.m.

Please do not call the courtroom to reserve a motion date. Parties must reserve a motion date via the online Court Reservation System (CRS) on the Los Angeles Superior Court website <https://portal-lasc.journaltech.com/public-portal/?q=node/388> prior to filing any motion papers. Motion fee payments are required at the time reservations are made online.

Courtesy copies of any moving, opposing, and reply papers are requested for motions for summary judgment/adjudication and any other non-discovery motion where the declaration and exhibits exceed 30 pages.

TENTATIVE RULINGS

For all matters scheduled for hearing, the court may post a tentative ruling on the LASC website (<https://www.lacourt.org/tentativeRulingNet/ui/main.aspx?casetype=civil>). Counsel wishing to submit on a tentative ruling must send an email to alhdeptx@lacourt.org, and copied to all counsel/parties, advising the court and all counsel of their intention to submit. Unless all parties submit, the matter will still be called for hearing and may be argued by any appearing/non-submitting parties. If all parties submit on the court’s tentative ruling, counsel for moving party shall give notice of ruling unless otherwise ordered by the court. This may be done by incorporating verbatim the court’s tentative ruling.

COURT REPORTERS

The services of an official court reporter are not available for hearings or trials in Department X, except as provided by California Rules of Court, rule 2.956 and Local Rule 2.21. If the parties bring their own court reporter, please consult the court’s website to review procedures which must be followed.

LESS EXPERIENCED ATTORNEYS

In accord with Local Rules 3.47 and 3.93, the court strongly encourages law firms and governmental agencies to give less experienced attorneys the opportunity to argue motions at law and motion hearings, and to have an important role at trial, including examining witnesses, conducting voir dire, and giving opening statements and closing arguments.

DISCOVERY IN LEMON LAW ACTIONS

When a discovery dispute in a Song-Beverly case arises, after exhausting all opportunities to meet and confer and reach an agreement concerning the scope of discovery, the court will usually order that the plaintiff and defendant exchange the following documents pursuant to discovery requests:

- “Warranty Policy and Procedure Manual” published by the defendant and provided to its authorized repair facilities, within the State of California, for the period of [date of purchase] to present.
- The defendant’s internal analysis or investigation regarding defects alleged in the plaintiff’s complaint in vehicles for the same year, make, and model of the subject vehicle. This includes Recall Notices and Technical Service Bulletins. The defendant is typically not required to do a search of emails.
- Customer complaints relating to defects alleged in the plaintiff’s complaint in vehicles purchased in California for the same year, make and model of the subject vehicle.
- Defendant shall produce all documents evidencing policies and procedures used to evaluate customer requests for repurchase pursuant to the Song-Beverly Consumer Warranty Act, for the period of [date of purchase] to present.
- Repair orders and invoices concerning the subject vehicle.
- Communications with dealer, factory representative and/or call center concerning the subject vehicle.
- Warranty claims submitted to and/or approved by Defendant concerning the subject vehicle.
- Purchase and/or lease contract concerning the subject vehicle.
- Repair orders and invoices concerning the subject vehicle.
- Any documents supporting plaintiff’s claim for incidental and/or consequential damages.

TRIAL PREPARATION ORDER

COURT/BENCH TRIALS

Counsel/parties must submit a joint exhibit list and joint witness list as described below. The parties are expected to have a witness list completed and to have copies of the exhibits available for the court, judicial assistant, opposing counsel, and any witnesses. Any exhibits which are reviewed and used in court may be admitted following the presentation of evidence.

JURY TRIALS

“To ensure the prompt disposition of civil cases, the dates assigned for a trial are firm. All parties and their counsel must regard the date set for trial as certain.” (Cal. Rules of Ct., rule 3.1332.) Jury trials that answer ready on the date set for trial are expected to be ready to proceed to trial without delay. Trials are conducted Monday through Thursday, beginning at 9:00 a.m.

FINAL STATUS CONFERENCE

Final Status Conferences will be held on Thursdays at 10:00 a.m. **Trial counsel (i.e., any lawyer that is conducting the trial) or any self-represented litigant must appear in-person at the FSC.** Failure to follow this order or the court’s rules regarding trial preparation may result in sanctions. Lawyers are advised to review Local Rule 3.25(f), (g), and (h).

Prior to the FSC, counsel are ordered to meet and confer to exchange, discuss, and prepare for submission to the court the jury instructions, verdict form, a statement of the case, and exhibit and witness lists. Counsel shall also attempt to reach stipulations regarding ultimate facts and issues, and authenticity/admissibility of exhibits. Sample formats to trial documents appear below.

The parties must submit their physical trial binders to the courtroom at least five court days in advance of the FSC. At the FSC, counsel should be prepared to discuss all aspects of the trial. For jury trials, the trial binder shall include the following documents with tabs:

- A – Trial Briefs (Optional)
- B – Joint Statement of the Case Joint Witness List
- C – Joint Witness List
- D – Joint Exhibit List
- E – Joint List of Jury Instructions; [Written] Jury Instructions
- F – Joint or Contested Verdict Form
- G – Joint Chart of Page and Line Designations for Testimony
- H – Operative Pleadings

A. Trial Briefs

Trial briefs are optional but preferred to the extent they highlight any issues or evidence to which there will be a significant dispute at trial. Any trial brief submitted by a party should identify any major legal issues anticipated with supporting points and authorities, a brief statement of the relief claimed and calculation of damages, and any other information which counsel believes may assist the court in ruling upon trial objections or matters that may arise in trial.

B. Joint Statement of the Case/Mini-Opening

A Statement of the Case is a brief, neutral description of the case to be read to the jury. In most instances, it should not exceed two paragraphs. In lieu of a statement of the case, if the parties wish to make a mini-opening statement prior to conducting their voir dire, they must write out their brief statement and share it with opposing counsel.

C. Joint Witness List

All witnesses must be listed on one list in alphabetical order by last name. Do not repeat the name of a witness. Indicate the total time expected for that testimony, including direct and re-direct, as well as cross and re-cross. At the end of the list, state the total time estimated for each witness' testimony.

JOINT WITNESS LIST						
	Name	Party Calling	Description of Testimony	Direct Length	Cross Length	Total Length
1.	John Doe	P	Plaintiff	1.0	0.6	1.6
2.	Jane Doe, MD	D	Internist expert – Standard of Care	0.5	0.3	0.8
Total Time				1.5	0.9	2.4

D. Joint Exhibit List

Pursuant to California Rules of Court, rule 3.1110(f) and Local Rules 3.52 and 3.53, all exhibits must be exchanged and pre-numbered, except for those anticipated in good faith to be used for impeachment or during rebuttal. Documentary exhibits consisting of more than one page must be internally paginated in sequential numerical order. Any party seeking to present evidence of an electronic recording must comply with California Rules of Court, rule 2.1040. Exhibits written in a foreign language must be accompanied by a certified English translation. (Cal. Rule of Court, rule 3.1110(g).) Pursuant to Local Rules 3.97 and 3.180, the parties shall not publish to the jury any exhibits or graphics at any time during trial except after being marked and received into evidence, or with the court's permission. All demonstrative exhibits, not admitted into evidence, must be shown to the opposing party before use at trial. Any objections to the use of demonstrative exhibits must be brought to the court's attention in a timely manner and before publication to the jury.

JOINT EXHIBIT LIST							
No.	Description	Offered by P/D	Authen? Y/N	Admit? Y/N	Evid. Objs.	Date ID-ed	Date Admit.
1.	Photos of Accident (3)	P	Y	Y			
2.	ER Admission Record	P	Y	N	H		

E. Joint Jury Instructions

Counsel are to submit a joint set of CACI instructions with brackets or blanks filled in. The parties shall organize proposed jury instructions into groups behind Tab 6 in the following order labeled by cover sheets: (1) agreed-upon instructions, (2)

plaintiff's instructions to which defendant objects, and (3) defendant's instructions to which plaintiff objects. The list of instructions must include a table which includes columns for all jury instructions by number, name, any objection to the instruction, and whether the instruction is given.

JOINT LIST OF PROPOSED JURY INSTRUCTIONS			
CACI No.	Name	Objection (by P or D)	Given (Y/N)
100	Preliminary Admonitions		
101	Overview of Trial		

F. Joint Proposed Verdict Form

If the parties cannot agree on a general or special verdict form, each party must submit their own proposed verdict form. Any proposed special verdict should be in a form that is easily used and understood by the jury and which does not require the jury to answer unnecessary questions.

G. Joint Chart of Page and Line Designations for Testimony

If any parties intend to use deposition testimony or former trial testimony in lieu of or in addition to a witness' live testimony, the parties' counsel and any self-represented parties shall meet and confer to discuss, and work together to prepare and file, a joint chart in the format set forth below.

JOINT CHART OF PAGE AND LINE DESIGNATIONS FOR TESTIMONY				
Tab A – Jane Doe – 11/14/2022 Deposition				
<u>Page:Line</u>	<u>Objection</u>	<u>Counter Desig.</u>	<u>Objection</u>	<u>Ruling</u>
2:2-25	R, H	4:4-16	R, 352	
3:3-7	H, F	18:9-11		
Tab B – Dr. John Doe – 6/20/22 Deposition				
<u>Page:Line</u>	<u>Objection</u>	<u>Counter Desig.</u>	<u>Objection</u>	<u>Ruling</u>
4:6-20		5:7-15		

The parties shall attach copies of the pages of the transcripts of the deposition or former testimony they are designating or counter-designating to the Joint Chart of Page and Line Designations for Testimony, with numbered or named tabs separating each deposition or trial transcript. Each designation or counter-designation shall be highlighted on the transcript, with each party using a different color highlighter. Highlighted transcripts may be printed condensed – four pages per page – and double-sided.

Motions in Limine (MILs): The court does not rule on motions in limine until the first day of trial. Local Rule 3.57 requires the parties to meet and confer before filing any MIL. All MILs must be accompanied by a sworn declaration attesting that the subject of the motion has been discussed with the opposing party and setting forth the opposing party's position regarding the motion(s). Failure to include such a declaration will result in summary denial of the motion(s).

MILs must be served on the opposing party and submitted to the court 10 court days prior to the FSC. A written opposition to a motion in limine may be served and filed no later than five court days prior to the FSC. Replies are not required but may be served and filed no later than the Friday preceding the trial date. As a reminder, MILs should not be used to seek summary judgment or adjudication of issues, or judgment on the pleadings.

Parties are discouraged from filing generic MILs that lack specificity, that are not specifically tailored to the facts of the case, or that summarize general legal principles (e.g., exclude all discovery not disclosed, exclude all hearsay evidence, prohibit reference to settlement negotiations, exclude evidence of a party's financial condition).

Failure to submit any item required in this order in a timely manner without good cause may result in the imposition of sanctions, including monetary sanctions, exclusion of evidence, issue preclusion, denial of a claim or defense, dismissal, or default.

10/11/2024