

Department X
Courtroom Information
and Guidelines
Hon. Joel L. Lofton

Judicial Assistant: Maria Vegerano-Nunez
Courtroom Assistant: Leslie Wong
Courtroom Telephone: (626) 293-2119
Court Address: 150 West Commonwealth, Alhambra, CA 91801
Law and Motion: Monday – Thursday 8:30 a.m.
Jury Trials: Monday – Thursday, 10:00 a.m. to 4:15 p.m.
The court is dark for trials on Fridays.

Department X is an independent/direct calendar court. Parties and counsel should review the provisions of the California Code of Civil Procedure, the California Rules of Court, and the Los Angeles Superior Court Local Rules, Chapter 3, Civil Division Rules (“Local Rules”) that apply to unlimited civil actions in independent calendar courts.

Case Management Conferences

Case Management Conferences are held Monday through Friday 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 8:30am. 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. 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.

Discovery

The Court requires all counsel to exhaust meet and confer efforts before filing a discovery motion. Upon a written request of counsel, the Court may conduct an informal discovery

conference (IDC) to assist counsel in resolving discovery disputes informally. IDCs are held Monday-Thursday 2:30-3:30pm

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 and summary adjudication motions will be heard on Tuesdays and Thursdays at 8:30 a.m.

No appearances are required for an OSC regarding proof of service if the required proof(s) has/have been filed with the court and the court has not set a monetary sanction hearing for the same date.

Parties must obtain a motion date via the online Court Reservation System (CRS) on the Los Angeles Court website “*LA Court Online, Court Reservation System*,” at www.lacourt.org to reserve a date prior to filing any motion papers. Motion fee payments are required at the time reservations are made online.

Please do not call the courtroom to reserve a motion date.

The Court does not provide a court reporter. If the parties bring their own court reporter, please consult the Court’s website to review procedures which must be followed.

Tentative rulings are available upon request at the time of the hearing and will also be posted on the Court’s website at www.lacourt.org.

If counsel wishes to submit any materials in support of a motion under seal, counsel must strictly comply with California Rules of Court Rule 2.551 et. seq.

Trial Preparation Order

Final Status Conference

Final Status Conferences will be held on Thursdays at 10:00 a.m.

Lawyers are advised to review Los Angeles County Court Rules 3.25(f),(g)&(h)

Only lawyers that are actually conducting the trial may appear for their respective party. Failure to follow this order WILL result in sanctions.

Trial counsel must attend the final status conference **in person**.

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.

Parties must meet and confer and submit the following documents five court days before the FSC.

Joint Exhibit List

Pursuant to California Rule of Court 3.1110(f) and Los Angeles County Superior Court 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. Exhibits written in a foreign language must be accompanied by a certified English translation. Cal. Rule of Court 3.1110(g). Pursuant to Los Angeles County Superior Court 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 Witness List

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

Joint Jury Instructions

Submit a joint set of CACI instructions with all information filled in – no remaining brackets or blanks. If instructions are disputed, submit a separate set or sets indicating the party proposing and opposing the instruction. Submit a disposition table which lists all jury instructions by number, the identity of the party or parties proposing the instruction, and columns for the court to indicate whether the instruction is given, modified, withdrawn or refused.

Concise Joint Statement

This is brief, neutral description of the case to be read to the jury. In most instances, it should not exceed two paragraphs.

Mini Opening Statement

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. They will then be required to read their statement verbatim to the jury at the appropriate time.

Joint Proposed Verdict Form

If the parties cannot agree on the 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.

Motions in Limine

Los Angeles County Superior Court Rule 3.57 requires the parties to meet and confer before filing any motion in limine. All motions in limine 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 MIL.

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

The court does not rule on motions in limine until the first day of trial.

Bench Trials

The parties must submit a joint exhibit list and joint witness list as described above.

Compliance

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.

CEQA

MANDAMUS HEARINGS ORDER

Hearing dates on petitions for writ of mandate are set by the court at the trial setting conference and are not reserved with the clerk. All CEQA related matters are heard in the afternoon at 1:30pm this includes law and motion. In each mandamus case, the parties will be ordered to:

- Prepare a trial notebook.
- Meet and confer and submit a stipulation as to a briefing schedule.
- Observe the page limits for your respective briefs as set out in CRC 3.1113(d), *unless* a party seeks, *and* the court grants an order for an oversized brief.
- Hold a settlement meeting consistent with PRC 21167.8(a).

- Lodge a *printed out* copy of the Joint Appendix, and a (flash drive) copy of the Administrative record in Dept X.

Remember that all documents shall be filed/lodged in Dept X at least 30 days prior to the trial date.

JOINT APPENDIX AND TRIAL NOTEBOOK

JOINT APPENDIX

If you have been ordered to provide a Joint Appendix for a mandamus trial, it should be prepared as follows:

1. The purpose of a Joint Appendix is to enable the court to easily review the pertinent cited pages from the record in a single take-home binder. The Joint Appendix should consist of a single three-ring binder -- preferably a three-inch binder -- or a binder that is spiral bound on the side. The Joint Appendix along with **all other documents shall be lodged with the court at least 30 days prior to the trial date.**
2. The Joint Appendix shall include the agency decision followed by the pages *actually cited* in the parties' briefs. The pages in the joint appendix must be in numerical Bates-stamped order no matter which party cited the page.
3. Generally, only the cited pages from a document should be included in the Joint Appendix, not the entire document. To reduce the number of pages, your briefs should pin cite, not blanket cite, to pertinent record pages. If it is necessary to provide context to a cited page, the Joint Appendix may include a cover page, witness identification page, or other pertinent pages from a document even though not actually cited. The Joint Appendix may have labeled side tabs separating the pages that come from different documents.
4. The parties may, but are not required to, highlight significant information on the Joint Appendix pages, using different colors to show which party highlighted the information on a particular page.
5. Petitioner has the responsibility to ensure that the Joint Appendix, with all pages cited by either side, is timely lodged with the court. The mere failure of opposing counsel to provide copies of the relevant pages cited in their opposition does not excuse this responsibility. Where the Petitioner is self-represented, Respondent or Real Party is tasked to prepare and lodge the Joint Appendix.

TRIAL NOTEBOOK

You will be ordered to provide a Trial Notebook for a mandamus trial, and it should be prepared as follows:

1. The Trial Notebook shall be in a one, three, or four-inch, three-ring binder as appropriate, and lodged with the court when the reply brief is filed.
2. The Trial Notebook shall contain only the bates-stamped copy of the agency decision (if applicable), the parties' briefs, and any requests for judicial notice. The documents should be separated by labeled tabs. Documentary evidence should not be included.
3. Petitioner has the responsibility to timely prepare and lodge the Trial Notebook. Where the Petitioner is self-represented, Respondent (Real Party) is tasked to prepare the Joint Appendix.
4. The parties must also provide the court with a memory stick containing the moving, opposition, and reply briefs on Word from which the court may cut and paste in preparing its tentative decision.