

## **COURTROOM INFORMATION**

### **DEPARTMENT 15**

Stanley Mosk Courthouse  
111 North Hill Street, Room 307  
Los Angeles, CA 90012

Telephone: 213/633-0515  
Email: [smcdept15@lacourt.org](mailto:smcdept15@lacourt.org)

**JUDGE:** Richard L. Fruin

**JUDICIAL ASSISTANT:** Michelle Zarate

**COURTROOM ASSISTANT:** Lori Naphen

**COURTROOM HOURS:** 8:30 a.m. – 4:45 p.m. (Noon Recess: Noon- 1:30 p.m.)

- Ex partes are held every day at 8:30 a.m.
- Law & Motion is held every day at 9:15 a.m.

**FILINGS:** e-FILING is mandatory (optional for self-represented litigants or litigants that have received an exemption from eFiling).

**COURTESY COPIES:** Courtesy copies (paper copies) are required of CMC statements, demurrers, motions (including any oppositions and replies), FSC documents, and proposed orders. Copies should be delivered in the “courtesy box” outside the courtroom.

**EX-PARTE APPLICATIONS:** Ex partes requiring hearings are held Monday – Friday, at 8:30 a.m. in Dept. 15. Ex-Parte applications require a showing of urgency. Present procedures require ex-parte applications to be e-filed no later than 10:00 a.m. on the day before the ex-parte hearing; the other side to be served at the same time. Courtesy copies of the ex-parte papers and any opposition is to be provided to Dept. 15. An ex-parte applicant must appear. CRC 3.1207.

**MOTIONS:** Motions are heard every day, Monday through Friday, at 9:15 a.m.

Department 15 does not limit the number of motions that may be set for hearing on any day, so motions may be set on any date with adequate statutory notice. All hearing dates are to be scheduled via the online Court Reservation System (CRS). Upon reservation, CRS will issue a confirmation number and that number is to be indicated in the filing caption for ALL motion documents, including oppositions and replies. Courtesy copies of all motion papers must be provided to Department 15 at the time of e-filing. Courtesy copies for e-filed motions do not have to be conformed but should have proof of submission of e-filing. Motion fee payments are to be addressed at the time the motions are scheduled online through CRS.

**REMOTE APPEARANCES:** LACourtConnect is available for telephonic or video appearances and may be used as provided in CRC 3.670, except for Final Status Conferences (for trial-ready cases). Video appearance is preferred.

Please be courteous during a remote appearance so as not to interrupt the Court or lawyers while they are talking. The Court will allow counsel appearing by LA CourtConnect an opportunity to contribute on every topic. To arrange a video or telephonic appearance go to the Court's website [www.lacourt.org/lacc/](http://www.lacourt.org/lacc/) for more information.

**TENTATIVE RULINGS:** The Court prepares written tentative rulings for contested motions other than Discovery Motions. Usually the Court will not be able to e-mail tentative rulings until 8:30 a.m. on the morning of the motion hearing. If the tentative rulings are available on the day before the scheduled hearing, the Court will e-mail the tentative rulings to counsel. The Court does not read its tentative rulings to attorneys appearing by LACourtConnect. Tentative rulings that are made final at the hearing will be entered in the computer as a separate document filed.

**MEET & CONFER REQUIREMENT FOR DEMURRERS, MOTIONS TO STRIKE AND MOTIONS FOR JUDGMENT ON THE PLEADINGS.** Before filing any of these motions to challenge a complaint, the counsel for the moving party must meet and confer "in person or by telephone" with opposing counsel to discuss "whether an agreement can be reached that would resolve the objections to be raised by the demurrer." CCP §§ 430.41, 435.5 and 439. This is a mandatory requirement. It is not to be evaded. Experience has shown that counsel, if they meet "in person or by telephone," do resolve by agreement many issues that otherwise would require the court to rule on a motion.

**DISCOVERY MOTIONS:** The Court expects the party moving to compel responses or further responses to show that the discovery instrument has narrow and specific demands. Requests for production of documents and subpoenas duces tecum must comply with CCP 2031.310(b)(1) to provide "specific facts showing good cause justifying the discovery sought by the demand" and with CCP 2031.310(g) in showing the demand is not "unreasonably cumulative and duplicative." The Court is agreeable to conducting Informal Discovery Conferences (IDC) under CCP 2016.080.

**INFORMAL DISCOVERY CONFERENCES (IDC):** If scheduled, IDCs are heard at 1:30 p.m. on Tuesdays through Fridays. Department 15 will consider conducting an Informal Discovery Conference upon submission of a joint request stipulated upon by all parties. The request shall be made by a joint brief not to exceed 5 pages to be submitted via e-filing and shall include three (3) proposed dates for the IDC to be held and shall state all reasons for the request. A courtesy copy of the joint brief is to be provided to the department upon filing.

**CASE MANAGEMENT CONFERENCES (CMC):** The Court will set a trial date, usually not more than eight months into the future, at the CMC. The Court will set a trial date even if the case is not at issue if the defendant has appeared. The Court expects that counsel appearing at the CMC will be knowledgeable about the facts and claims in issue. CMC statements (Judicial Council form #CM-110) should be filed at least 15 calendar days prior to the CMC [CRC Rules 3.720-3.730] with a courtesy copy provided to the department upon filing.

**FINAL STATUS CONFERENCE (FSC):** At the CMC, the Court sets a FSC to occur ten days before the trial date. (Trials are usually scheduled on a Monday; a FSC set 10 days before will fall on a Friday.)

Trial documents: Four days before the FSC, the parties are to e-file, serve and provide courtesy copies to the department upon filing the following trial documents: special verdict, list of jury instructions, statement to the jury panel, list of witnesses, list of exhibits. For the list of witnesses, those witnesses that a party intends to call at trial should be identified "above the line" and those witnesses the party does not intend to call at trial should be listed "below the line." Same with exhibits: the exhibits that a party will offer at trial are "above the line" and those that the party does not intend to use at trial will be "below the line."

Witness Lists: The Court will inquire at the FSC whether:

- Any witness will appear via a remote platform per CCP 367.75;
- Any witness' deposition will be offered in lieu of a trial appearance (with page and line identification of the deposition testimony to be provided);
- Any medical witness' deposition will be offered per CCP 2025.620(d).

Exhibit Lists: Counsel are to cooperate so that exhibits to be offered by both sides are identified with the same exhibit number. Discovery instruments and discovery responses are not trial exhibits and are not to be included on the Exhibit List. If a party intends to introduce individual pages of a larger document, the individual pages should be given individual exhibit numbers.

Motions in limine: Motions in limine (MILs) must be filed and served earlier to give adequate statutory notice so that they can be heard and decided at the FSC. Courtesy copies of all MIL documents, including oppositions and replies are required to be provided to the department upon filing. Rulings on MILs are provisional, depending on the actual evidence offered at trial.

The Jury Verdict and all motions in limine will be decided before the trial date.

**FSC TRIAL BINDERS:** For a complicated trial, the Court would appreciate counsel providing a complete set of motions in limine with oppositions in a binder.

**EXHIBIT BINDERS:** Exhibits to be used at trial should be provided in binders. Three exhibit binders should be prepared for Court use: one to be used by the witnesses; one for the Judicial Assistant and another for the judge. One set of the exhibit binders is to be provided to the Court four court days before the FSC.

**JURY TRIALS:** The Court will assign all members of the panel (after hardships are excused) to a numbered seat and will then distribute to them a written, one-page questionnaire. The questionnaire has 13 questions – 11 standard questions, 2 factored to the case. Counsel will receive the juror's responses to questionnaire before commencing their voir dire. Usually the jury and alternates will be selected on the first day. Counsel should be prepared to make opening statements on the first day of a jury trial.

**TECHNOLOGY:** The Mosk Courthouse has installed in the civil departments "smart" tables known as the Digital Evidence Presentation System (DEPS) for counsel's use including a wall screen for the projection of exhibits and power points.

More information regarding the DEPS, is available on the Court's website at [www.lacourt.org](http://www.lacourt.org), General Info> Court Resources>DEPS>DEPS Quick Reference Guide (for Attorneys).

Use of other technology is permitted with judicial approval, with sharing of technology between sides encouraged to minimize costs and impact on limited courtroom space. Contact courtroom staff prior to trial for more information.

**TRIAL CONTINUANCES:** The Court does not usually grant trial continuances.

**SETTLEMENTS:** Settlement agreements should include a provision of CCP §664.6. If your matter settles before a hearing, please appear at the hearing and advise the Court of the settlement and if the agreement includes a provision pursuant to CCP §664.6.

Please note that the filing of a Notice of Settlement will not automatically remove calendared events.