

Los Angeles Superior Court
Stanley Mosk Courthouse
Department 17

JUDGE: Jon R. Takasugi

JUDICIAL ASSISTANT: Ariana Escobar

COURTROOM ASSISTANT: Jaime Shuton

LOCATION: Stanley Mosk Courthouse
111 N. Hill Street, Dept. 17
3rd Floor, Room 309
Los Angeles, CA 90012

TELEPHONE NUMBER: (213) 633-0517

E-MAIL ADDRESS: smcdept17@lacourt.org

COURTROOM HOURS: 8:30 a.m. – noon
1:30 p.m. - 4:30 p.m.

I. GENERAL INFORMATION

Department 17 is an independent/direct calendar court.

Upon arrival, parties must check in with the courtroom assistant. Counsel must provide a business card that indicates the party he or she represents. In lieu of a personal appearance in the courtroom, counsel may appear via LA CourtConnect. See Cal. Code Civ. Proc. (CCP) § 367.5; Cal. Rules of Court (CRC) rule 3.670; and L.A. County Court Rules (“Local Rule”) Rule 3.6. For further information, please go to: <https://my.lacourt.org/laccwelcome>.

A. Courtesy Copies

The Court requires courtesy copies (with tabbed exhibits) for Motions for Summary Judgment/Adjudication, Motions for Judgment on the Pleadings, Motions to Strike (Anti-SLAPP), Informal Discovery Conference briefs, and Ex Parte Applications. The conformed, printed courtesy copies are to be delivered directly to Dept. 17 within a day of electronic filing.

B. Court Reporters

Official court reporters are not normally provided. A party who has a fee waiver pursuant to California Rules of Court, [rule](#) 3.55(7) may request an official court reporter by filing form LASC LACIV 269 at least 10 calendar days before the hearing or trial.

C. Interpreters

An interpreter may be provided if arranged for in advance, however one cannot be guaranteed for an exact date and time. Parties are advised to make their own arrangements for trial.

D. Accessibility and Accommodation

If you require an accommodation relating to a disability, please inform the courtroom staff at least five court days in advance so we can attempt to facilitate your request. Written requests can be made by filing Judicial Council form MC-410.

II. PRETRIAL MATTERS

A. 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 (the parties are to meet and confer within 30 days of the hearing and file a CMC statement (Judicial Council Form CM-110) within five (5) days of the hearing).

All defendants must be served with the complaint by the case management conference. If all defendants have not been served, plaintiff or plaintiff's counsel must submit a declaration to the court five (5) days prior to the hearing explaining what efforts have been undertaken to accomplish service. Cal. Rules of Court, [rule](#) 3.110.

B. Law And Motion

Law and motion hearings are conducted Monday through Friday beginning at 9:30 a.m. Parties must obtain and schedule a motion hearing date via the online Court Reservation System (CRS) on the Los Angeles Superior Court website: <https://www.lacourt.org>, "Online Services" tab. The Court requests all electronically filed documents be bookmarked and searchable. Self-represented litigants may file in the Clerk's Office, Room 102.

The Court prepares tentative rulings on most law and motion matters. Tentative rulings are usually posted online 1-4 days prior to the hearing at the "Online Services" tab at <https://www.lacourt.org>. If parties wish to submit on the tentative, please email the courtroom (smcdept17@lacourt.org) with notice to opposing counsel (or self-represented party) before 8:30 a.m. on the morning of the hearing. If the hearing on the

matter is not set with another hearing, i.e. a Case Management or Trial Setting Conference, an appearance is not necessary.

C. Entry of Default and Default Judgment

It is the goal of the Court that entry of defaults and default judgments be done with minimal court appearances. Plaintiff's request for entry of default (Judicial Council form CIV-100) must be filed within 10 days after expiration of defendant's time to respond unless the court grants an extension (CRC 3.110(g)). In addition, within 45 days after entry of default, plaintiff must obtain a default judgment against the defendant unless the court grants an extension of time (CRC 3.110(h)).

The Court will accept stipulations and liberally grant extensions in time to respond. Furthermore, the Court reminds the parties there are "equitable grounds" for relief from entry of default in addition to CCP §473(b) (see, *Stiles v. Wallis* (1983) 147 Cal.App.3d 1143).

D. Informal Discovery Conferences (IDC)

The Court expects the parties to resolve discovery disputes among themselves in a courteous, reasonable, and professional manner. The parties are asked to schedule an IDC prior to filing a Motion to Compel Further Discovery Responses in all matters except Song-Beverly Warranty Act claims. A Motion to Compel an Initial Response does not require an IDC.

Assuming the parties through meet and confer cannot settle their discovery disputes, the propounding party can request an IDC by filing form LACIV 094 and including three (3) dates all parties are available to appear at 1:30 p.m., Monday through Thursday. Assuming the Court agrees an IDC may resolve the discovery dispute, the Clerk will notify the parties of the date. Because scheduling or participating in an IDC does not extend any deadlines of filing, the Court urges responding/objecting parties to waive time to avoid unnecessary motion practice.

In Song-Beverly Warranty Act claims, the Court offers the following guidelines as to what it believes is discoverable:

1. Purchase and/or lease contract concerning the subject vehicle.
2. Repair orders and invoices concerning the subject vehicle.
3. Communications with dealer, factory representative and/or call center concerning the subject vehicle.
4. Warranty claims submitted to and/or approved by Defendant concerning the subject vehicle.
5. Any Warranty Policy and Procedure Manual published by defendant and provided to its authorized repair facilities, within the State of California, for the date the subject vehicle was purchased to the present.
6. Any internal analysis, investigation, and/or communications

regarding the same defects claimed by plaintiff in vehicles of the same year, make and model as the subject vehicle which were sold within the State of California.

7. Any customer complaints regarding the same defects claimed by plaintiff in vehicles of the same year, make and model as the subject vehicle which were sold within the State of California.

8. All policies and/or procedures used to evaluate customer requests for repurchase pursuant to the Song-Beverly Consumer Warranty Act, from the date of purchase to the present.

9. Technical Service Bulletins and/or Recall Notices regarding the same defects claimed by plaintiff in vehicles of the same year, make and model of the subject vehicle which were sold within the State of California.

10. Any documents supporting plaintiff's claim for incidental and/or consequential damages.

E. Ex Parte Applications

Ex parte applications are reserved for exigent circumstances, solely for extraordinary relief and should be used with discretion. The applicant shall comply with Cal. Rules of Court, [Rule 3.1202\(c\)](#): "An applicant must make an affirmative factual showing in a declaration containing competent testimony based on personal knowledge of irreparable harm, immediate danger, or any other statutory basis for granting relief ex parte."

Ex parte applications are heard Monday through Friday at 8:30 a.m. Ex parte applications must be e-filed and noticed no later than 10 a.m. the court day prior to the hearing. The notice must be included in the declaration and a proposed order must be presented with the moving papers.

Self-represented litigants must still give proper notice but may file their ex parte application at 8:30 a.m. on the day of the hearing in the Clerk's Office on the first floor, Room 102.

Oppositions must be e-filed no later than by 8:30 a.m. on the day of the hearing and courtesy copies are required directly in the courtroom.

Ex parte applications are reviewed in chambers and while the Court may have questions it will rarely entertain oral argument.

F. Mediation and Mandatory Settlement Conferences (MSC)

Parties are encouraged to participate in any dispute resolution program (i.e. private mediation) of their choice. If all parties are interested, the Court may order the parties to participate in a Mandatory Settlement Conference (MSC) held at the Spring Street Courthouse. The program is free of charge and staffed by experienced sitting civil judges who devote their time exclusively to presiding over MSC's. Once ordered,

the parties must register within 14 days at lacourt.org. If the parties so stipulate, the Court may also engage in settlement discussions with the parties.

G. Trial Continuances

Regrettably, the Court is setting jury trials 16-18 months after the first Case Management Conference or Trial Setting Conference. Jury trial dates are set in coordination with parties/counsel. Since they are set so far in advance, jury trial dates are firm.

The Court's trial calendar has been seriously impacted by the Covid-19 pandemic and the backlog is expected to take years to clear. Requests for trial continuances must be made by noticed motion, ex parte application when appropriate, or by stipulation. The Court has a strong interest in keeping scheduled jury trial dates, therefore all requests to continue must be supported by good cause.

In the event of years of inactivity – failure to mediate, complete discovery/depositions, or file Motions for Summary Judgment are not good cause to continue a jury trial date.

III. GUIDELINES FOR FINAL STATUS CONFERENCES AND TRIALS

Parties must comply with L.A. County Court Rule 3.25 and other rules applicable to Final Status Conferences (FSC) and trials. These guidelines should assist you in complying with these rules.

A. FINAL STATUS CONFERENCE

The Court will set a Final Status Conference at 10 a.m. on Thursday, 11 days prior to the trial. Complete Joint Trial Notebooks and Exhibit Notebooks should be brought. The purpose of the FSC is to verify that the parties are completely ready to proceed to trial continuously and efficiently, from day to day, until verdict. Unless the Court orders otherwise, lead trial counsel must attend the FSC in person.

At least five (5) days prior to the FSC, the parties must meet and confer in person to exchange, discuss, and prepare the Trial Notebook and Exhibit Notebooks. The parties must serve, sign, and file all joint documents. Counsels must bring two Joint Trial Notebooks to the FSC with tabs A-K prepared as follows:

■ Tab A – Trial Briefs

Each party/counsel shall file a trial brief succinctly identifying:

1. The claims and defenses subject to litigation;
2. The major legal issues (with supporting points and authorities);
3. The relief claimed and calculation of damages sought; and
4. Any other information that may assist the Court at trial.

If the parties/counsel are pursuing a court trial, Trial Briefs are required to be prepared so thoroughly that counsel would be confident submitting on the paperwork alone (20 page limit).

■ **Tab B – Motions in Limine (MIL)**

Before filing motions in limine, the parties/counsel shall comply with the statutory notice provisions of Code of Civil Procedure (CCP) Section 1005 and the MIL requirements of L.A. County Court Rule 3.57(a). The caption of each motion in limine shall concisely identify the evidence that the moving party seeks to preclude. Parties filing more than one motion in limine shall number them consecutively. Parties filing opposition and reply papers shall identify the corresponding motion number in the caption of their papers.

Motions in limine will be heard on the first day of trial before the jury is empaneled.

■ **Tab C – Joint Statement to be Read to the Jury**

For jury trials, the parties/counsel shall work together to prepare and file a joint written statement of the case for the court to read to the jury (L.A. County Court Rule 3.25(g)(4)). The parties/counsel shall sign the joint statement, and all other joint documents.

■ **Tab D – Joint Witness List**

The parties/counsel shall work together to prepare and file a joint list of all witnesses arranged alphabetically by last name. The joint witness list shall identify each witness by full name, specify which witnesses are experts, estimate the length of the direct, cross examination and re-direct examination of each, and include a total of the number of hours for all witness testimony. Any party/counsel who seeks to elicit testimony from a witness not identified on the witness list may have that witness excluded absent a showing of good cause.

■ **Tab E – List of Proposed Jury Instructions (Joint and Contested)**

The parties/counsel shall jointly prepare and file a list of proposed jury instructions, organized in numerical order, specifying the instructions upon which all sides agree and the contested instructions, if any. The List of Proposed Jury Instructions must include a column by each instruction for the judge to indicate whether the instruction was given.

■ **Tab F – Full Text Jury Instructions (Joint and Contested)**

The parties/counsel shall prepare a complete set of full-text proposed jury instructions, editing all proposed California Civil Jury Instructions and insert party name(s) and eliminate blanks, brackets, and irrelevant material. The parties/counsel shall prepare special instructions in a format ready for submission to the jury with the

instruction number, title, and text only (i.e., there should be no boxes or other indication on the printed instruction itself as to the requesting party).

■ **Tab G – Joint Verdict Form(s)**

The parties/counsel shall prepare and jointly file a proposed general verdict form or special verdict form (with interrogatories) acceptable to all sides (L.A. County Court Rule 3.25(g)(8)). If the parties/counsel cannot agree on a joint verdict form, each party must separately file a proposed verdict form.

■ **Tab H – Joint Exhibit List**

The parties/counsel shall prepare and file a joint exhibit list organized with columns identifying: (1) the exhibit, (2) the party offering the exhibit, (3) whether there is a stipulation to authenticity and/or admissibility of the exhibit, (4) the date on which the exhibit was identified in court, and (5) the date on which the exhibit was admitted.

Prior to filing the joint exhibit list, the parties shall meet-and-confer to determine whether they will stipulate to the authenticity and/or admissibility of each exhibit or whether there are objections to any exhibit. If there are stipulations, the parties shall note that in the respective column. If not, the objecting party shall specify all objections in the respective column. The parties/counsel shall sign the joint exhibit list.

Pursuant to L.A. County Court Rules 3.52 and 3.53, the exhibits must be pre-marked using numbers. It is not uncommon for plaintiff's exhibits to start at 001 and defendant's exhibits at 101. In instances where an exhibit consists of multiple pages, each page must be "Bates" numbered sequentially. For example: if Exhibit 5 has 20 pages, "Exh. 5-012" would be the 12th page of Exhibit 5.

The exhibits must be exchanged at least five (5) calendar days before the FSC and lodged with the Court. At least three sets of exhibit binders – tabbed, marked, and paginated – are required at the FSC: a set each for the Court, judicial assistant, and witness. Counsel must also supply an exhibit binder to each opposing party if not exchanged electronically.

■ **Tab I – Page and Line Designation for Deposition and Former Testimony**

If the parties/counsel intend to use deposition testimony or former trial testimony in lieu of any witness' live testimony, the parties/counsel shall meet and confer and jointly prepare and file a chart with columns for each of the following: 1) the page and line designations of the deposition or former testimony requested for use, 2) objections, 3) counter-designations, 4) any responses thereto, and 5) the Court's ruling.

■ **Tab J – Copies of the Current Operative Pleadings (including the operative complaint, answer, cross-complaint, and answer to any cross-complaint).**

■ Tab K – Stipulations

B. TRIALS

1. Scheduling

Trials are scheduled on Mondays at 10:00 a.m. Trials will generally commence at 10 a.m. and recess at noon. They will resume at 1:30 p.m. and recess for the day at 4:15 p.m. There will be a 15-minute recess at about 3 p.m.

2. Court Reporter

The Court no longer provides court reporters. The parties/counsel are strongly encouraged to arrange for a court reporter for trial, and “real-time” for the bench is greatly appreciated. Parties who do not provide a court reporter for trial are directed to meet at the close of each session and prepare a joint statement of the witness testimony presented that day. The joint statement must be lodged with the Court the next morning before proceedings resume. No exceptions.

3. Jury Fees

Jury fees must be paid on a daily basis. The judicial assistant will advise of the daily rate.

4. Voir Dire

The Court will begin the jury selection process by questioning the entire panel (or as many as logistically possible). The Court will inquire using the “questions on the board” (name, area of residence, marital status [children], occupations, and previous jury experience). The Court, if requested, will also voir dire on any “sensitive areas.” The parties/counsels will be allowed 20-30 minutes to voir dire depending on the complexity of the case.

Each party is entitled to six (6) peremptory challenges. If there are multiple parties to each side, each side shares eight (8) so long as each side receives an equal number (see, CCP §231(c)).

5. Opening Statements

Neither party is required to give an opening statement and a defendant may reserve it until after the presentation of the opposing party’s case in chief. Opening statements should not be used to argue your case, pre-instruct or precondition the jury. Present the jury a roadmap as to what you believe the evidence will show. Use of visual aids in opening statement is generally not

allowed unless previewed and agreed upon by all parties/counsel (see, L.A. Superior Court Rule 3.97).

6. Display of Demonstrative Evidence

Department 17 is equipped with a large screen monitor visible to the jury with an ELMO overhead projector and computer connections (HDMI and VGA) at counsel table. There is also a monitor on the witness stand. The parties must provide their own cables and computer, and a pre-trial test run is encouraged as the Court is not able to provide technical support. If a PowerPoint is to be used, a copy of the slides must be shared with the opposing counsel prior to the presentation leaving sufficient time to object.

7. Witnesses Availability

Out of respect for all the parties and jurors involved, please plan accordingly and have witnesses present and ready to testify. The Court will not inconvenience the jury just because a witness does not appear and a party may be forced to rest. Under most circumstances, L.A. Court Connect is available if necessary, however be aware that drop-outs and disconnections do occur.

8. Use of Deposition Transcripts and Discovery Responses

Prior to the commencement of the trial, deposition transcripts and discovery responses shall be lodged with the Court (L.A. County Court Rule 3.56). Before reading into evidence any portion of a deposition, interrogatory, or request for admission, the party shall advise the Court and opposing party of the page and line number of the deposition, or the numbers of the interrogatories or requests for admission to be read or shown to the witness (L.A. County Court Rule 3.158).

9. Use of Podium and Approaching Witnesses

The courtroom has a podium which the Court prefers the parties use. Under certain circumstances, parties may question from counsel table. The parties are asked to stand (if able) when addressing the Court for any extended period of time. Counsel may approach the witness without permission, but only to give or show the witness an exhibit. Questioning is to resume at the podium or counsel table.

10. Objections

The parties are to refrain from speaking objections. The Court will always allow argument on points of law or evidentiary matters outside the presence of the jury, however it may not be contemporaneous with the objection depending on the situation.

Also, counsel ordinarily should not interrupt an incomplete question to object unless the question is both patently objectionable and at least arguably prejudicial (LA Superior Court Rule 3.111).

11. Use of Exhibits

Counsel may publish exhibits to the jury only after they have been admitted into evidence. If counsel agree that an exhibit or exhibits will be admitted without objection, counsel may publish the agreed-upon exhibit(s) to the jury during opening statement.

12. Interpreters

Interpreters are not guaranteed to be available in civil trials and are prioritized pursuant to Evidence Code §756(b). If necessary, please retain your own interpreter, calculate the additional time needed for examination and cross on the witness list, and let court staff know prior to calling the witness.

13. Multiple Counsels for a Party

If a party has more than one lawyer, only one may conduct the direct, cross-examination, or make objections to that witness.

14. Closing Arguments and Jury Instruction

Parties/counsel should be prepared to present closing arguments upon completion of the evidence. Parties/counsel may ask the Court to pre-instruct the jury with the goal of keeping all closing arguments together, however this is not always logistically possible.