
Welcome to DEPARTMENT 48 STANLEY MOSK COURTHOUSE

An individual calendar, general jurisdiction, civil courtroom

Judge: Honorable Thomas D. Long

Judicial Assistant: Emily Ma Reyes

Courtroom Attendant: Roger E. Lomeli

Location: 111 North Hill Street, Room 506, Fifth Floor, Los Angeles, California 90012

Telephone Number: (213) 633-0648

Department Resource Account: smcdept48@lacourt.org

Public Hours: Monday to Friday. 8:30 A.M. - 12:00 P.M. and 1:30 P.M. - 4:30 P.M.

Trial Hours: 9:00 A.M./10:00 A.M. - 12:00 P.M. and 1:30 P.M. - 4:00 P.M. (no Trials on Wednesdays)

REVISED GUIDELINES EFFECTIVE FEBRUARY 10, 2025 UNTIL FURTHER NOTICE

This PDF will be updated in real-time as needed. **Please check back often and read everything carefully.**

- The Court will conduct Trials, Ex Parte hearings, and all other hearings on Mondays, Tuesdays, Thursdays, and Fridays. Law and Motion matters are heard on Tuesdays and Thursdays. **Hearings, Trials, and Ex Partes are not conducted on Wednesdays.**
- **Informal Discovery Conferences (IDCs) are not conducted in Department 48.** You may file your motions to compel further discovery. However, the Court now requires the parties to also file a joint statement for discovery disputes (as outlined in **Exhibit A**) together with your motions. **Please note that you still must file a notice of motion and motion to schedule your hearing date.**

GENERAL INFORMATION

Mask Requirements: Masks are not required in Department 48. During Jury Trials, the Court may offer masks, subject to availability. All attendees are free to bring masks of their own and to wear them at any time.

Remote Appearances: Remote appearances are permitted in all matters, other than Final Status Conferences and Trials, unless otherwise directed by the Court. Parties shall arrange telephonic or video appearances through LACourtConnect. (<https://my.lacourt.org/laccwelcome>). **Please remain muted until your case is called.** If you are calling in through your mobile device, you may need to press ★6 to unmute yourself. The Court cannot unmute you.

Court Reporters: Official court reporters are not normally provided. If you want a court reporter, you must provide one. A party who has received a fee waiver pursuant to California Rules of Court, Rule 3.55(7) may request an official court reporter by filing local form LACIV 2699 in advance of the hearing or Trial. Given the limited availability of official court reporters, the Court may not know whether a reporter is available until the day of the hearing or Trial. Proceedings in unlimited jurisdiction are not electronically recorded.

Proceedings in limited jurisdiction residential unlawful detainer and limited civil cases are electronically recorded by the Court unless a party arranges and pays for a court reporter under Los Angeles Superior Court, Local Rule 2.21(e).

Interpreters: An interpreter may be provided if arranged in advance. The Court will attempt to locate an interpreter for the date and time of your hearing, but it cannot guarantee that one will be available at that date and time. As a general civil court, the Court is assigned a lower priority in obtaining scarce interpreter services.

Accessibility and Accommodation: If you need an accommodation, please inform the courtroom staff in advance, so that we can attempt to facilitate your request. Requests may be made using form MC-410 or in any other written format.

Self-Represented Litigants: The Court's commitment to fairness and justice extends to all litigants, including those who represent themselves rather than hire a lawyer. Self-represented litigants are expected to comply with the rules of civil procedure, evidence, and decorum.

Courtesy Copies: The Court does not accept courtesy copies except for Oppositions to Ex Partes, settlement briefs for Mandatory Settlement Conferences (MSCs), or as otherwise requested by the Court. All documents must be electronically filed unless the litigants and filings qualify for an exemption pursuant to the First Amended General Order re Los Angeles Superior Court – Mandatory Electronic Filing for Civil, dated May 3, 2019. Any courtesy copies should be submitted to the Department 48 resource account: smcdept48@lacourt.org.

Confidential Documents: Any confidential filings (including documents filed under a protective order and documents lodged conditionally) submitted on eCourt **must have their unredacted versions** emailed to the department resource account at smcdept48@lacourt.org with a cc to all counsel/parties involved. However, copying the opposing party is not required for confidential documents related to Certificates of Merit.

Lodging Materials: Any documents and/or media pertaining to a hearing that need to be lodged with the Court must be emailed to the department resource account at smcdept48@lacourt.org with a cc to all counsel/parties involved.

LAW & MOTION

The Court hears law and motion matters on Tuesdays and Thursdays at 8:30 A.M. and sometimes on Mondays and Fridays as specially set by the Court. Parties must reserve a date for all law and motion hearings via the Court Reservation System (“[CRS](#)”). Parties must use CRS to continue or withdraw motions; please also call the courtroom so we are aware of the change.

The Court prepares Tentative Rulings in most law and motion matters. Tentative Rulings are posted online typically no later than 8:00 A.M. the day of the hearing and often by the afternoon before the hearing.

Motions in Limine are heard at the Final Status Conference unless the Court orders otherwise. Los Angeles Superior Court, Local Rule 3.25(f).

Discovery Motions: The Court strongly discourages discovery motions and encourages informal resolution of discovery disputes. The Court requires parties to prepare joint statements to brief discovery disputes on motions to compel further responses. See Exhibit A.

In Song-Beverly Act cases filed on or after January 1, 2025, the Court expects strict compliance with Code of Civil Procedure §871.26.

In Song-Beverly Act cases filed prior to January 1, 2025, the Court strongly encourages the parties to stipulate to conducting discovery in accordance with Code of Civil Procedure §871.26.

Trial counsel must meet and confer by *telephone* or *video conference* (or in person, when consistent with public health recommendations) to resolve or narrow further discovery disputes. If the disputes remain unresolved, counsel may proceed with a motion. **Informal Discovery Conferences (IDCs) are not required and may not be scheduled.**

In the event a discovery motion is heard, the Court recommends that Trial counsel appear remotely or in person to argue it. Counsel should be fully prepared to negotiate a resolution to the dispute that is the subject of the motion, as well as to discuss a detailed schedule of all further discovery.

Ex Parte Applications: Ex Parte Applications are heard each day at the beginning of the morning calendar at 8:30 A.M. Absent an exemption, you must file the application by 10:00 A.M. on the court day prior to the Ex Parte hearing. **Please try to avoid scheduling an Ex Parte Application hearing on Wednesday, if possible.**

Ex Parte Applications must comply with California Rules of Court, Rule 3.1200 *et seq.*

CASE MANAGEMENT

The Court's goal is to help the parties obtain a fair, timely, and efficient resolution of their cases. Effective case management, in turn, requires counsel to communicate with each other and the Court, and to work together cooperatively to advance the case. The Court applies the case management rules set forth in California Rules of Court, Rule 3.700 et seq. and Los Angeles Superior Court, Local Rules 3.24 – 3.25.

CASE MANAGEMENT CONFERENCES: *Trial counsel are required to meet and confer by videoconference or telephone (or in person, when consistent with public health recommendations) no later than 15 calendar days before the date set for the initial and any succeeding Case Management Conference to consider each of the issues identified in California Rules of Court, Rules 3.724 and 3.727. Case Management Statements must be filed at least seven calendar days before the date scheduled for the conference.*

Counsel attending the Case Management Conference must be knowledgeable about the case and prepared to discuss all the issues set forth in California Rules of Court, Rule 3.727.

TRIAL PROCEDURES

FINAL STATUS CONFERENCES: Final Status Conferences (FSC) are generally held on Mondays at 9:00 A.M., two weeks before the Trial. **Lead Trial counsel must appear in person at the FSC and at Trial, unless previously excused by the Court.** Los Angeles Superior Court, Local Rule 3.25(f)(2). The Court requires Trial counsel to meet by videoconference or telephone (or in person, when consistent with public health recommendations) well before the FSC concerning the submission of joint trial readiness documents. Los Angeles Superior Court, Local Rule 3.25(g). All trial readiness documents are to be filed in accordance with Los Angeles Superior Court, Local Rule 3.25(f).

The parties shall arrange for a trial notebook to be delivered to the courtroom and lodged prior to the FSC. Los Angeles Superior Court, Local Rule 3.25(g). The notebooks should be prepared consistent with the Trial Preparation Order. See **Exhibit B**.

USE OF EXHIBITS: Counsel may publish exhibits to the jury only after they have been admitted in 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. If the Court believes that a party has a good faith belief that exhibits will be admitted, the Court will permit use of those exhibits in opening statements. Counsel are strongly encouraged to seek the prompt admission of exhibits at Trial once a proper foundation is laid. **If Counsel waits until the end of their case to seek admission of exhibits and an objection is sustained, the Court is unlikely to allow witnesses to be recalled or the case to be re-opened to cure the defect.** Counsel should meet and confer to discuss these issues prior to opening statement.

COURT REPORTERS AND SETTLED STATEMENTS: For unlimited jurisdiction matters, the Court strongly encourages the parties to bring a court reporter for Trial. If no court reporter is used, the parties must jointly prepare a summary of the day's proceedings, including a detailed summary of the testimony of any witness, and lodge it in the courtroom the next morning before proceedings resume. If the parties cannot agree on a joint form of the settled statement, they must each submit their own version and must highlight the differences and lodge their competing proposals the next morning before proceedings resume. The Court will then instruct the parties on how to finalize the settled statement.

TIME LIMITS ON TRIAL: The Court will usually impose time limits on the parties' presentation of their case at Trial. Counsel should be prepared to discuss this issue at the Case Management Conference and again at the FSC and at the start of Trial. If a time limit is imposed, the Court will keep track of the time used by each party each day and (upon inquiry) will report the time used to the parties. Time spent in sidebars may be charged against the time limits. Any such limits that are set will be modified only upon a showing of good cause.

TRIAL PREPARATION ORDER: The Court requires all parties to abide by the Trial Preparation Order attached as **Exhibit B** herein.

DISCOVERY ORDER: The Court may, on its own motion, or at the suggestion of any or all of the parties, enter a Discovery Order based on Code of Civil Procedure §2016.090 and Federal Rules of Civil Procedure, Rule 26(a) requiring disclosures without formal discovery requests. A form of such an order is attached as **Exhibit C** herein. The Court asks the parties to be prepared to discuss this form of order at the Case Management Conference.

SETTLEMENT PROGRAMS

The Los Angeles Superior Court has a variety of settlement programs. Litigants should closely review the requirements for each program and the types of cases served.

CIVIL MEDIATION VENDOR RESOURCE LIST: Litigants may use the Civil Mediation Vendor Resource List to arrange voluntary mediations without Court referral or involvement. The Resource List includes organizations that have been selected through a formal process that have agreed to provide a limited number of low-cost or no-cost mediation sessions with attorney mediators or retired judges. Organizations may accept or decline cases at their discretion. Mediations are scheduled directly with these organizations and are most often conducted through videoconferencing. The organizations on the Resource List target active civil cases valued between \$50,000 - \$250,000, though cases outside this range may be considered. For more information and to view the list of vendors, download the Resource List Flyer and FAQ Sheet at <https://www.lacourt.org/ADR/programs.html>.

MEDIATION VOLUNTEER PANEL (MVP): Cases referred to the Court's Mediation Volunteer Panel (MVP) are eligible for three hours of virtual mediation at no cost with a qualified mediator from the MVP. Through this program, mediators volunteer preparation time and three hours of mediation at no charge. If the parties agree to continue the mediation after three hours, the mediator may charge their market hourly rate. When a case is referred to the MVP, the Court's ADR Office will provide information and instructions to the parties. The Notice directs parties to meet and confer to select a mediator from the MVP or they may request that the ADR Office assign them a mediator. The assigned MVP mediator will coordinate the mediation with the parties. For more information or to view MVP mediator profiles, visit the Court's ADR webpage at www.lacourt.org/ADR or email ADRCivil@lacourt.org.

MEDIATION CENTER OF LOS ANGELES (MCLA) REFERRAL PROGRAM: The Court may refer cases to low-cost mediation through a formal contract with the Mediation Center of Los Angeles (MCLA), a non-profit organization that manages a panel of highly qualified mediators. The Court's ADR Office will provide the parties with information for submitting the case intake form for this program. MCLA will assign a mediator based on the type of case presented and the availability of the mediator to complete the mediation in an appropriate time frame. MCLA has a designated fee schedule for this program. For more information, contact the Court's ADR Office at ADRCivil@lacourt.org.

RESOLVE LAW LA (RLLA) VIRTUAL MANDATORY SETTLEMENT CONFERENCES: Resolve Law LA provides three-hour virtual Mandatory Settlement Conferences at no cost for personal injury and non-complex employment cases. Cases must be ordered into the program by a judge pursuant to applicable Standing Orders issued by the Court and must complete the program's online registration process. The program leverages the talent of attorney mediators with at least ten years of litigation experience who volunteer as settlement officers. Each MSC includes two settlement officers, one each from the plaintiff and defense bars. For more information, visit www.resolveawla.com.

MANDATORY SETTLEMENT CONFERENCES (MSCs) WITH THE COURT: The Court may be willing to conduct an MSC itself if the parties both request it, subject to stipulation as to certain conditions to allow the Court to remain the Trial judge on the case. The Court may also attempt to locate another judge willing to hold a MSC on the matter if both parties request it. If the parties are interested, they should raise one or both possibilities with the Court as soon as it is practical for them to do so.

CONDUCT OF COUNSEL

Counsel should behave in a civil matter toward everyone in the courtroom at all times. Counsel should not address each other or others (except witnesses and prospective jurors who are being examined) but should instead direct all inquiries to the Court. Counsel should not interrupt each other but instead should make notes and ask the Court to be heard in order to respond. When in doubt, ask for permission beforehand, rather than for forgiveness afterwards.

PARKING AND BUILDING ACCESS

Parking is available, for a fee, around the Stanley Mosk Courthouse, including Lot 26 on First Street and Olive Street and the Wells Fargo Center Parking Structure on Hill Street and Second Street. The Courthouse is also served by the Metro Red Line and Purple Line. Once you arrive, it may take 30 - 45 minutes to get into the building and up to Department 48 on the fifth floor. You should plan for significant delays for security screening and malfunctioning elevators and escalators. Please instruct clients and witnesses to arrive early. The Court may not be able to delay proceedings to accommodate attorneys, parties, and witnesses who are late.

Effective as amended on February 10, 2025.

EXHIBIT A

JOINT STATEMENT FOR DISCOVERY DISPUTES

The following is a simplified version of portions of USDC Central District of California Local Rule 37-2. This procedure applies to all motions to compel further responses, but not motions to compel initial responses.

Commencing a Discovery Motion.

After meeting and conferring with opposing counsel, the moving party shall reserve a hearing date for the motion and file a notice of motion. A notice of motion and motion must be filed to secure a hearing date. The motion shall be supported only by the joint discovery dispute statement and supplemental memoranda described below. No other memoranda of points and authorities shall be filed in support of the motion.

Form of Joint Discovery Dispute Statement.

The joint discovery dispute statement must be set forth in one document signed by both counsel. The statement must contain all discovery requests in dispute and, as to each such request, the contentions and points and authorities of each party. The statement may not refer the Court to any other documents. For example, if the sufficiency of an answer to an interrogatory is at issue, the statement must contain, verbatim, both the interrogatory and the allegedly insufficient answer, followed by each party's contentions as to that particular interrogatory, separately stated. Exhibits to the statement may include declarations, proofs of service of the discovery requests at issue, and other documents. If allegations made in a prior filing are relevant, the filing should be cited by name, date filed, and page and line. Although the statement should present the disputed issues as concisely as the subject matter permits, no page limitations apply to statements regarding discovery disputes. The title page of the statement must state the discovery cutoff date, the final status conference date, and the trial date.

Preparation of Joint Statement.

Counsel for the moving party must personally deliver, e-mail, or fax to counsel for the opposing party the moving party's portion of the statement, together with all declarations and exhibits to be offered in support of the moving party's position. Unless the parties agree otherwise, within seven days of receipt of the moving party's material, counsel for the opposing party must personally deliver, e-mail, or fax to counsel for the moving party the opposing party's portion of the statement, together with all declarations and exhibits to be offered in support of the opposing party's position. After the opposing party's material is added to the statement by the moving party's counsel, the statement must be provided to opposing counsel, who must sign it (electronically or otherwise) and return it to counsel for the moving party no later than the end of the next business day, so that it can be filed with the notice of motion.

Supplemental Memorandum.

After the Joint Statement is filed, each party may file a supplemental memorandum of law not later than ten days before the hearing date. A supplemental memorandum may not exceed five pages in length. No other separate memorandum of points and authorities may be filed by either party in connection with the motion.

EXHIBIT B

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT**

DEPARTMENT 48

_____, Plaintiff(s),

v.

_____, Defendant(s).

Case No. _____

TRIAL PREPARATION ORDER

The dates for Trial and the Final Status Conference having been set in this case, the Court orders as follows (Sections 3.D., 3.E., 3.F., and 3.G. do not apply to Non-Jury Trials):

1. MEET AND CONFER

No later than 18 calendar days before the Final Status Conference, the parties' counsel and any self-represented parties shall exchange all exhibits they intend to introduce at Trial.

No later than 11 calendar days before the Final Status Conference, the parties' counsel and any self-represented parties shall meet and confer to do the following: (1) discuss and prepare the documents required in Sections 3.B. – H., below, and the Motions in Limine Binder, Exhibit Binders, and Trial Binder required in Sections 3 - 5, below, (2) discuss and make a good faith effort to stipulate to the authenticity and admissibility of each Trial exhibit, (3) discuss and make a good faith effort to stipulate to resolve each motion in limine, (4) discuss and make a good faith effort to stipulate to ultimate facts and legal issues, and (5) discuss and make a good faith effort to settle the case.

2. GENERAL COURTROOM TRIAL RULES

- A. You may, but are not required to, wear a mask. Do not appear in person, but rather call in, if you think you have COVID-19 or any other serious infectious disease.
- B. Attorneys are expected to wear formal business attire.
- C. Covered beverages, such as water and coffee, may be used in the courtroom. Uncovered beverages, food items, and chewing gum are forbidden. The Court will allow medically necessary items on request.
- D. In general, ask for permission beforehand, rather than forgiveness afterwards. Assume that the Court prefers traditional courtroom etiquette and conventions if you have any doubts.
- E. Do not leave any of your materials anywhere in the courtroom at any time without permission of the Judicial Assistant. There is very little storage space in the courtroom so your materials (all of them including your exhibits) must be removed at the end of each day during Trial.
- F. Do not use the back hallway, jury deliberation room, or jury restrooms without obtaining permission beforehand.
- G. Do not approach witnesses or staff or walk into the well while court is in session without obtaining permission first. Do not remain at the witness stand to ask questions after providing an exhibit.
- H. At all times attorneys will remain behind the podium or at counsel table unless you have permission from the Court to be elsewhere. (An attorney not actively questioning a witness or arguing to the Court may sit in the audience.) You will not be pacing around the courtroom like you see on television and in the movies.
- I. Stand when you make an objection and state the legal basis for the objection succinctly, typically only with a word or two. Do not argue the objection unless asked to do so by the Court. You may ask to be heard.
- J. Stand as you ask questions of witnesses (either at the podium or at counsel table) unless you have permission from the Court to sit at counsel table. One attorney handles any one witness (both questioning and objecting) and any one motion unless you have advance approval from the Court to do otherwise. In general, no double-teaming.
- K. Do not interrupt witnesses in the middle of their answers and do not tell witnesses how they must answer the question. (It is not a “yes or no question,” nor is the answer limited in any other way just because you say so.) You may move to strike non-responsive or otherwise inappropriate answers, but the Court alone provides any needed instructions to witnesses on the stand. Your concerns about a witness should be addressed to the Court and not the witness.
- L. Do not instruct jurors as to what the law is. You may, in closing argument, refer to instructions given or to be given by the Court but otherwise instructions on the law belong to the Court. Do not paraphrase the Court’s instructions or quote portions out-of-context.
- M. In general, all communications by attorneys (other than questions to witnesses) while the Court is in session should be first addressed to the Court and not to opposing counsel or anyone else.
- N. If there is insufficient space at counsel table, attorneys take priority and parties must sit in the audience.
- O. The Court is often unable to provide a reasonable temperature in the courtroom. Often only unreasonably cold or unreasonably hot temperatures can be provided. In such circumstances, the Court will maintain an unreasonably cold temperature instead of an unreasonably hot one. Be prepared and tell witnesses to be prepared.
- P. The Court provides an *Elmo* and display screen for the witness and the jury. You are warned that these items may or may not work properly at Trial. You must bring your own HDMI cord to attach to the Court’s *Elmo*. The Court’s technology support staff has little or no time to help you. You rely on any technology at your own peril. Some laptops and other computer equipment may not be compatible with the Court’s equipment. All problems of any sort with any

technology you use are your problems alone. The Court makes no commitment to you to assist you with any technological problems. You must be prepared with a “Plan B” to provide your own technology or to proceed with a low-tech solution, because the Court will not grant significant recesses or other delays for technological problems.

3. TRIAL DOCUMENTS TO BE FILED

No later than five court days before the Final Status Conference, the parties’ counsel and any self-represented parties shall file and serve the following documents:

A. TRIAL BRIEFS (OPTIONAL, BUT ENCOURAGED)

Each party may, but is not required to, file a Trial Brief succinctly identifying:

- (1) the claims and defenses that remain in dispute for Trial;
- (2) the major legal issues (with supporting points and authorities);
- (3) the relief and calculation of damages sought; and
- (4) any other information that may assist the Court at Trial.

B. JOINT WITNESS LIST

The parties’ counsel and any self-represented parties shall work together to prepare and file a joint list of all witnesses whom any party actually intends to call at Trial and is actually expected to testify (please do not include other potential witnesses), excluding witnesses being called only for impeachment or rebuttal. (Los Angeles County Court Rule (Local Rule) 3.25, subd. (g)(5).) The joint witness list shall be organized with columns (in the format set forth below) which state (1) the name of each witness (in alphabetical order by last name), if the witness is being called to testify as an expert, and any special requirements or accommodations needed for the witness (*e.g.*, interpreter, remote connection), (2) the party calling the witness, (3) a brief description of the witness’s expected testimony, (4) an estimate of the length of direct examination (in minutes), (5) an estimate of the length of cross-examination (in minutes), and (6) the total estimated length of examination (in minutes). At the end of the joint witness list, the parties and any self-represented parties shall add up the estimated times for all witnesses’ testimony and state the grand total in the last column in weeks, days, hours and minutes as appropriate. See the format example below.

A Trial day typically totals four (4) to four and a half (4½) effective hours (9:00 A.M. to 4:00 P.M. with morning and afternoon breaks at about 10:45 A.M. and 2:45 P.M., respectively, and a lunch break from 12:00 P.M. noon to 1:30 P.M.), and a Trial week is typically Monday, Tuesday, Thursday, and Friday, but not Wednesday. The Court may remain in session as late as 4:30 P.M. with reasonable advance notice, but never later. The Court will not make Wednesday available. Breaks will not be skipped or shortened. Breaks and recesses will be taken promptly even if they interrupt a line of questioning. Please plan accordingly. The total time shown in the witness list may serve as part of the Court’s basis for setting time limits at Trial and together with estimated time for jury selection, opening statements, closing arguments, and instructing the jury should match the parties total estimated Trial time and should match the anticipated date to present the case to the jury. The total time should also meet the time limits the Court set (if any) at the Case Management Conference (“CMC”). The Court will not set

specific time limits on voir dire, but all other aspects of the Trial will be time-limited.¹ To the extent any party is seeking more time than allowed by the Court’s limitations, that party should submit a discussion of proposed witness testimony either in the joint witness list or elsewhere designed to show good cause for increasing the time allowed as well as clearly stating how much additional time is requested.

The failure to include a witness in the joint witness list shall, on its own, not be a basis to exclude the witness at Trial. Any motion to exclude a witness should be based on discovery responses, evidentiary issues, court orders, or other good cause independent from the joint witness list. The Court finds that many attorneys list all individuals identified in pre-trial discovery on witness lists to avoid any waiver arguments. The result is witness lists that are useless to preparing for and managing a Trial.

Name (State if Expert)	Party Calling (Π/Δ)	Brief Description of Testimony	Length of Direct (in minutes)	Length of Cross (in minutes)	Total Length (in minutes)

C. JOINT EXHIBIT LIST

The parties’ counsel and any self-represented parties shall work together to prepare and file a joint exhibit list organized with columns (in the format set forth below) which state, as to each exhibit any party intends to offer at Trial: (1) the exhibit number, (2) a brief description of the exhibit, (3) which party is offering the exhibit, (4) whether the parties have stipulated to authentication of the exhibit, (5) whether the parties have stipulated to admissibility of the exhibit, (6) any evidentiary objections to admission of the exhibit, (7) the date the exhibit was marked for identification, and (8) the date the exhibit was admitted into evidence. (Local Rule 3.25, subd. (g)(6).) As set forth above, the parties’ counsel and any self-represented parties shall meet and confer in an effort to resolve objections to the authenticity and admissibility of each exhibit. The specific manner for preparing exhibit binders is discussed below.

JOINT EXHIBIT LIST							
No.	Description	Offered By (Π/Δ)	Stipulate to Authenticate? (Yes/No)	Stipulate to Admission? (Yes/No)	Evidentiary Objections	Date Marked for ID	Date Admitted

D. JOINT STATEMENT TO BE READ TO THE JURY

For Jury Trials, the parties’ counsel and any self-represented parties shall work together to prepare and file a brief, joint written statement of the case for the Court to read to the jury. (Local Rule 3.25, subd. (g)(4).) Parties should not insist on particular wording for the other parties’ contentions but should simply focus on their own contentions and their responses. This should make it possible to always agree on joint statement.

¹ See *California Crane School, Inc. v. National Comm. For Certification of Crane Operators* (2014) 226 Cal. App. 4th 12, 19, for the court’s authority to set time limits to manage its calendar by excluding evidence “**even evidence that is relevant and probative.**” (Emphasis added.)

E. JOINT LIST OF PROPOSED JURY INSTRUCTIONS (JOINT AND CONTESTED)

For Jury Trials, the parties' counsel and any self-represented parties shall work together to prepare and file a joint list of proposed jury instructions (in the format set forth below) which states, as to each proposed jury instruction: (1) the jury instruction number (listed in numerical order), (2) the title of the jury instruction, (3) the party requesting the jury instruction, (4) whether the jury instruction is agreed upon or contested, (5) a concise statement of any objection, and (6) whether the jury instruction was given by the Court (Joint List of Proposed Jury Instructions).

JOINT LIST OF PROPOSED JURY INSTRUCTIONS					
No.	Title	Requested By (II/Δ)	Agreed or Contested?	Objection	Given (Yes/No)

F. JURY INSTRUCTIONS (JOINT AND CONTESTED)

For Jury Trials, the parties' counsel and any self-represented parties shall work together to prepare a complete set of full-text proposed jury instructions, editing all proposed Judicial Council of California Civil Jury Instructions (CACI) instructions, inserting party names, and eliminating blanks and other irrelevant or inapplicable material. If there is an appropriate CACI jury instruction on a point of law, the Court expects the parties to request the CACI instruction instead of a specially prepared jury instruction. Any departure from CACI instructions should be clearly explained. The full text jury instructions should be in a form suitable to be provided to the jury. There should be no footers or headers or titles except references to CACI. The party proposing an instruction should not be identified on the instruction and the boxes provided when the tear-off forms were in use should not be used. The parties should consider the order in which they want instructions read. The Court typically reads all requested CACI series 100 and 200 instructions before the opening statements or before evidence is taken. All other instructions are usually given before closing argument, although some CACI 5000 series instructions should be given after closings. The Court invites the parties' suggestions on the order of jury instructions.

The parties should not request CACI instructions that do not apply when the Trial begins. For example, CACI 5013 shall not apply unless and until there is a deadlocked jury. During Trial, if circumstances change, the parties may request additional applicable jury instructions.

G. VERDICT FORM(S)

For Jury Trials, the parties' counsel and any self-represented parties shall work together to prepare and file a joint proposed general verdict form or a joint proposed special verdict form acceptable to all parties. (Local Rule 3.25, subd. (g)(8).) If the parties cannot agree on a joint verdict form, each party must separately file a proposed verdict form. When a special verdict form is requested, if there is an appropriate CACI special verdict form for a cause of action, affirmative defense, or other finding, the Court expects the parties to use the CACI special verdict form. Any departure from a CACI special verdict form should be clearly explained.

H. JOINT CHART OF PAGE AND LINE DESIGNATIONS FOR DEPOSITION AND FORMER TESTIMONY

If any parties intend to use deposition testimony or former Trial testimony in lieu of or in addition to a witness's 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 Deposition and Former Testimony). The parties do not, however, need to include in the joint chart deposition testimony or former Trial testimony they plan on using for impeachment purposes only.

In the joint chart, each designating party's designations of deposition or former testimony shall include columns which state: (1) the designation number and name of the witness, (2) the date and type of testimony (*e.g.*, deposition or Trial testimony), (3) the page and line designations of the deposition or former testimony requested to be used, (4) any objections, (5) whether the other party has counter-designated any additional deposition or former testimony of the witness that relates to the designation, and, if so, the designation number of the counter-designation, and (6) the Court's ruling.

In the joint chart, each counter-designating party's counter-designations of additional deposition or former testimony of the witness that relates to the designations shall include columns which state: (1) the designation number and name of the witness, (2) the date and type of testimony (*e.g.*, deposition or trial testimony), (3) the page and line counter-designations of the deposition or former testimony requested to be used, (4) any objections, (5) the designation number of the other party's designation to which the counter-designation relates, and (6) the Court's ruling.

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 Deposition and Former Testimony, with numbered tabs separating each deposition or Trial transcript. Each designation or counter-designation shall be highlighted, with each party using a different color highlighter.

Deposition transcripts lodged with the Court should be labeled with the witness's name, date, volume number on the spine (*e.g.*, "John Doe, 12/24/20, Vol. 1 of 3"), as well as the case name and number if it fits.

Alternatively, the Court invites the parties to agree on and propose to the Court a different way of identifying proposed deposition testimony to be used at trial. The Court can work with electronically marked deposition transcripts that present the parties' markings, countermarkings and objections in a way that the Court can efficiently make rulings and a proper record can be made of those rulings.

JOINT CHART OF PAGE AND LINE DESIGNATIONS FOR DEPOSITION AND FORMER TESTIMONY					
I. <u>Plaintiff's Designations</u>					
Number/ Witness Name	Date/Type of Transcript	Page:Line Designation	Objections	Is There a Counter? (Yes/No/#)	Ruling
1. John Doe	1/3/20 Depo.	1:2-25	Hearsay	Yes #4	
2. John Doe	3/4/19 Trial Testimony	5:20-25		No	
3. Jane Doe	1/15/20 Depo.	2:5-10		No	
<u>Defendant's Counter-Designations</u>					
Number/ Witness Name	Date/Type of Transcript	Page:Line Designation	Objections	What # Does This Counter?	Ruling
4. John Doe	1/3/20 Depo.	1:26-2:20		#1	
II. <u>Defendant's Designations</u>					
Number/ Witness Name	Date/Type of Transcript	Page:Line Designation	Objections	Is There a Counter? (Yes/No/#)	Ruling
5. John Doe	3/4/19 Trial Testimony	5:20-25	No foundation	Yes #7	
6. Jane Doe	1/15/20 Depo.	2:5-10		No	
<u>Plaintiff's Counter-Designations</u>					
Number/ Witness Name	Date/Type of Transcript	Page:Line Designation	Objections	What # Does This Counter?	Ruling
7. John Doe	3/4/19 Trial Testimony	5:26-6:10		#5	

4. MOTIONS IN LIMINE BINDER

Motions in Limine shall be noticed for hearing at the Final Status Conference. The parties' counsel and any self-represented parties shall comply with the statutory notice provisions of Code of Civil Procedure §1005 and file declarations that comply with the requirements of Local Rule 3.57, subdivision (a). The caption of each motion in limine shall concisely identify the evidence that the moving party seeks to exclude. 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.

No later than three calendar days before the Final Status Conference, the parties' counsel and any self-represented parties **shall jointly prepare and lodge in Department 48 a Motions in Limine Binder. The Motions in Limine Binder shall be marked with the case caption, number, and title on its front and spine** and shall include conformed copies of all motions in limine, opposition papers, and reply papers, organized in one or more three-ring binders, tabbed in numerical order with the opposition papers and reply papers for each motion placed directly behind the moving papers with a colored sheet of paper separating the moving, opposition, and reply papers. The parties should

not file generic motions in limine untethered to actual anticipated disputes about evidence. Motions in limine that seek rulings “which would merely be declaratory of existing law” and do not include a discussion about the particular evidence the moving party seeks to exclude are not appropriate. (*Kelly v. New West Federal Savings* (1996) 49 Cal.App.4th 659, 670-671.) A common example is to seek exclusion of all evidence not produced in discovery. Such a motion is too abstract. Instead, a proper motion would seek to exclude specific evidence clearly sought in a particular discovery request or clearly ordered by the Court and yet not disclosed.

5. EXHIBIT BINDERS

The parties’ counsel and any self-represented parties shall work together to jointly prepare at least five sets of tabbed, exhibit binders organized numerically in three-ring binders (Exhibit Binders): a set for the Court, a set for the Judicial Assistant, a set for the witnesses, and a set for each party.

Exhibits should be three-hole punched in notebooks marked with the case caption, number, and title on the front and spine of the notebook and with each exhibit paginated sequentially at the bottom center of each page. For example, Exhibit 1 should be paginated 1 - 1, 1 - 2, 1 - 3, etc. Exhibits should be clearly identified as to the party offering them and the parties should use clearly identified number and/or letter sequences to pre-mark exhibits. An exhibit list should be provided at the front of the first volume of exhibits. New exhibits offered in Trial that have not been pre-marked should conform to the requirements above and should be identified on a supplemental exhibit list added to each copy. Where a witness will be testifying on a number of exhibits from different volumes, the attorney conducting the direct examination should prepare a notebook for the witness with the exhibits to be used on direct. Where the parties have stipulated to the admission of a good number of exhibits, they should prepare an Admitted Exhibits notebook for the clerk. Where electronic exhibits are being used, each exhibit should be on a separate thumb drive and the parties should stipulate to a clean laptop to be provided to the jury for viewing electronic exhibits and should instruct the courtroom attendant as to its use. The parties’ counsel and any self-represented parties shall bring **one** set of all of the Exhibit Binders discussed above to the Final Status Conference for the Court to review. At least **five** copies of the exhibits should be brought to the Trial: one for each party, one for the witness stand, one for the Judicial Assistant, and one for the Court.

6. TRIAL BINDER

No later than three calendar days before the Final Status Conference, the parties’ counsel and any self-represented parties shall jointly prepare and lodge in Department 48 a physical Trial Binder, with the case caption, number and title on the front page and, consisting of one-sided, conformed copies, tabbed and organized in a three-ring binder with a table of contents that includes the following (for Trials by the Court without a jury, the Trial Binder shall only include the documents listed under Tabs A, B, C, H, and I):

Tab A:	Trial Briefs (Optional. If no Trial briefs are filed, leave Tab A empty.)
Tab B:	Joint Witness List
Tab C:	Joint Exhibit List
Tab D:	Joint Statement to Be Read to the Jury
Tab E:	Joint List of Jury Instructions
Tab F:	Joint and Contested Jury Instructions (full text adapted to the case and with all decisions as to bracketed matter duly incorporated).
Tab G:	Joint or Contested Verdict Form(s)

- Tab H: Joint Chart of Page and Line Designations for Deposition and Former Testimony
- Tab I: Copies of the Current Operative Pleadings (including the operative Complaint, Answer, Cross-Complaint, if any, and Answer to any Cross-Complaint.)

The parties shall organize proposed jury instructions into groups behind Tab F in the following order (labeled by cover sheets): (1) the agreed-upon instructions, (2) the Plaintiff's requested instructions to which the Defendant objects, and (3) the Defendant's requested instructions to which the Plaintiff objects. **The Trial binder shall be labelled on its FRONT and SPINE with the notebook title, the case caption, and case number.**

7. FAILURE TO COMPLY WITH TRIAL PREPARATION ORDER

The Court has discretion to require any party's counsel and any party who fails to comply with this Trial Preparation Order to show cause why the Court should not impose monetary, evidentiary, issue, and/or terminating sanctions.

IT IS SO ORDERED.

The Plaintiff is ordered to give notice of this order.

Dated: _____

Thomas D. Long
Judge of the Los Angeles Superior Court

EXHIBIT C

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT**

DEPARTMENT 48

_____, Plaintiff(s),)	Case No. _____
)	
v.)	
)	
_____, Defendant(s).)	DISCOVERY ORDER
)	
)	
_____)	

1. General:

- a. Any formal discovery propounded by a party in this matter prior to the date of this Order is stayed pending further order from the Court. Motions to lift the stay or to compel responses, or to impose sanctions with respect to such discovery may be brought only on a showing of good cause.
- b. The Court finds under Code of Civil Procedure §§ 128 and 2019.020(b) that the discovery in this matter should be subject to management by the Court in the interests of justice, given the nature of the allegations in the operative pleadings and given the disorder in discovery in the case so far. The Court has modelled this Order on provisions of Code of Civil Procedure § 2016.090 and Federal Rules of Civil Procedure, Rule 26(a).
- c. Any claims of privilege relating to the information required to be provided under this Order shall be made no later than the time information is required to be provided under this Order and shall be supported by a privilege log. If the parties cannot agree on how any privilege applies, they shall timely present the matter to the Court for its decision through a motion for a protective order or a motion to compel production, or other appropriate application.

- d. A party may seek to modify and/or delete this Order through a noticed motion, upon showing of good cause.

2. Exchange of Information: Within 60 days of this Order, both Plaintiff and Defendant shall, without awaiting a discovery request, provide the following information:

- a. The names, addresses, telephone numbers, and email addresses of all persons likely to have discoverable information, along with the subjects of that information, that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.
- b. A computation of each category of damages claimed by the disclosing party—who must also make available for inspection and copying the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered.
- c. Any agreement under which an insurance company may be liable to satisfy, in whole or in part, a Judgment entered in the action or to indemnify or reimburse for payments made to satisfy the Judgment.
- d. Any agreement under which a person, as defined in Section 175 of the Evidence Code, may be liable to satisfy, in whole or in part, a Judgment entered in the action or to indemnify or reimburse for payments made to satisfy the Judgment. Only those provisions of an agreement that are material to the terms of the insurance, indemnification, or reimbursement are required to be included in the initial disclosure. Material provisions include, but are not limited to, the identities of parties to the agreement and the nature and limits of the coverage.

3. Production of Documents: Within 60 days of this Order, both Plaintiff and Defendant shall, without awaiting a discovery request, provide copies of the following documents that are in their respective possession, custody, and/or control, to the opposing side(s):

- a. A copy, or a description by category and location, of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses as to all operative Complaints and Cross-Complaints (including but not limited to documents identified under Paragraph 2[b] above), unless the use would be solely for impeachment.

The information may be provided to the opposing party in electronic form as a PDF at the option of the producing party. Plaintiff and Defendant shall serve verifications with the documents they produce. Any additional requests for documents may only be propounded by Court order obtained by stipulation or upon showing of good cause.

4. Interrogatories: Within the time limits allowed by law, both Plaintiff and Defendant may each propound one set of Judicial Council Form Interrogatories and one set of a maximum of 35 Special Interrogatories. Any additional Special Interrogatories may be propounded only by a Court order obtained by stipulation or by noticed motion upon showing of good cause.

5. Depositions: Depositions may be noticed for 61 days or more after the date of this Order. Documents shall not be requested in a notice of deposition to a party witness absent a Court order obtained by stipulation or upon a showing of good cause.

6. **Third Party Discovery:** Third party discovery may be conducted at any time 61 days or more after the date of this Order.
7. **Confidentiality:** If a party believes any of the disclosure of information under this Order should be subject to a protective order, that party shall serve and file a proposed protective order within five days of this order and the parties shall meet and confer as to agreeable language for the same. The default protective order will be the standard protective order provided by the Los Angeles Superior Court on its website.

Notice of this Minute Order will be provided by the Court Clerk.

IT IS SO ORDERED.

Dated: _____

Thomas D. Long
Judge of the Los Angeles Superior Court