

DEPARTMENT 68
STANLEY MOSK COURTHOUSE
COURTROOM INFORMATION
www.LACOURT.ORG

Judge: Stephen P. Pfahler **Judicial Assistant:** Anita Williams **Courtroom Assistant:** Terry Scott

Court Address: 111 North Hill Street, Los Angeles, CA 90012 **Telephone Number:** (213) 633-1068
Courtroom Hours: 8:30 a.m. to 4:30 p.m. (Lunch Break 12:00 p.m.-1:30 p.m.)

CHECK IN: You may be asked to wait outside the courtroom before or after you check in. Please follow the courtroom staff's instructions. Check-in begins at 8:30 a.m.

COURT REPORTERS: If you require a court reporter, you must provide your own, except as provided by California Rules of Court, rule 2.956 and Los Angeles Superior Court Local Rules, rule 2.21. The following forms must be filed in the courtroom prior to the judge calling your case:

Form LACIV237, if the court reporter is listed on the court's Pro Tempore Court Reporter Directory; or,
Form LACIV236, if the court reporter is not listed on said directory. Please follow the links on the court's website: **General Information-Court Resources-Court Reporters.**

FILINGS BY REPRESENTED LITIGANTS: Represented litigants are required to electronically file all documents with the Court through the approved Electronic Filing Service Provider.

FILINGS BY SELF-REPRESENTED LITIGANTS: Self-represented litigants are exempt from mandatory electronic filing requirements. All papers filed by self-represented litigants must be stapled separately before filing, or they will be rejected. Judgments, orders, and stipulations may be filed directly in the courtroom but must include self-addressed, stamped envelopes and copies to conform.

MOTIONS: All motions to be heard in Dept. 68 must be reserved through the Court Reservation System (CRS). Follow the links on the court's website: Online Services-Court Reservation System (CRS).

Motions are heard Monday through Friday and are set for hearing at 8:30 a.m. The Court may issue a tentative ruling after 3:00 p.m. the day before the hearing. **The attorneys/self-represented litigants may submit on the tentative ruling by contacting the Judicial Assistant, and, if both parties agree to submit, then the tentative will become the Court's order, and no appearance at the hearing is required.**

LACourtConnect: Appearances through LACourtConnect is allowed for all hearings **except trials/prove-ups and settlement conferences.** (**See below for *ex parte* hearing requirements). **No prior court approval is necessary.** For Final Status Conferences, personal appearances are strongly encouraged. To schedule an appearance through LACourtConnect, please visit LACourt.org, then go to "*Here For You/Safe For You*" and in the "Attorney Portal" you may set up an account then schedule your remote appearance.

DISCOVERY DISPUTES AND INFORMAL DISCOVERY CONFERENCES: The Court strongly discourages discovery motions and encourages informal resolution of discovery disputes. Counsel with authority to compromise the dispute (i.e., trial counsel) must meet and confer by telephone, videoconference, or in person to attempt to resolve or narrow the discovery dispute. Merely exchanging letters or emails is insufficient. The Court expects the parties to work together in good faith to resolve all discovery disputes. If the dispute remains unresolved, counsel may (but are not required to) schedule an informal discovery conference (IDC) with Judge Pfahler by calling Dept 68. The IDC should eliminate any need for a discovery motion. At least two court days before the date of the IDC, each side shall serve and file their IDC Brief. A courtesy, hard copy of said IDC Brief must also be delivered to Dept. 68 on the same date that it is filed. The IDC Brief shall be no longer than three

pages and must include (i) a one paragraph description of the case, (ii) a brief description of the discovery dispute at issue, including a list of the discovery requests, objections, and/or answers (iii) a description of the parties' informal attempts to resolve the dispute and any offers to compromise, and (iv) any legal authorities the Court should consider. The parties are encouraged to stipulate in writing to extend any applicable deadline for filing a discovery motion until at least 21 days following the IDC.

If the parties are unable to agree on scheduling an IDC or cannot obtain a timely IDC date, the parties shall first meet and confer in good faith to attempt to informally resolve any discovery disputes before filing expensive and cumbersome discovery motions. If the parties are not able to informally resolve their discovery dispute, the party seeking the discovery responses may reserve a hearing date using the Court Reservation System and electronically file the motion.

EX PARTE APPLICATIONS: *Ex parte* applications are heard Monday through Friday at 8:30 a.m. No reservation is needed. *Ex Parte* applications, supporting documents, and a *proposed order* must be electronically filed no later than 10:00 a.m. the court day before the *ex parte* hearing. Written oppositions shall be electronically filed by 8:30 a.m. the day of the *ex parte* hearing. Self-represented parties must either electronically file by 10:00 a.m. the day before the *ex parte* hearing or personally bring the *ex parte* hearing, declaration of notice, and a proposed order to the Clerk's Office for payment of the fee by 8:30 a.m. on the day of the hearing and proceed immediately to the courtroom with the *ex parte* application, declaration of notice, a proposed order, and proof of payment. If the self-represented party timely files the required *ex parte* documents electronically, then he or she may appear at the hearing through LACourtConnect. Oppositions by self-represented parties, if any, shall either be filed electronically by no later than 8:30 a.m. the day of the hearing or be brought to the courtroom on the day of the *ex parte* hearing. If a self-represented party elects to bring in his or her opposition to the Court on the day of the hearing, he or she shall bring a sufficient number of copies of the opposition to provide to the court and all other parties. Please note that the Court may not consider *ex parte* applications submitted/filed without a proposed order.

FINAL STATUS CONFERENCE ORDER: Department 68 has a Final Status Conference (FSC) Order which applies to every case set for trial. Said FSC order is provided at every Case Management Conference when the case is set for trial. The Court requires the parties to meet and confer as well as jointly work together regarding the preparation of all required trial documents as well as to submit the documents and trial binders pursuant to the deadlines set forth in the FSC Order.

TRIALS: The Court sets trial dates at the Case Management Conference once the case is at issue. Unless the Court is dark/closed, all trials are set on Mondays, and all Final Status Conferences are set on Thursdays, 11 calendar days before the trial date. All such appearances are at 8:30 a.m.

Department 68 follows the local rules for trial. Motions in Limine are heard on the first day of trial. All trial documents filed by represented parties must be electronically filed pursuant to the Final Status Conference Order (except for exhibits). Additionally, a printed courtesy copy of all verdict forms and jury instructions shall be filed directly in Department 68 at the time of the electronic filing. All trial documents filed by self-represented litigants must be filed directly in Department 68 pursuant to the Court's Final Status Conference Order.

EXHIBITS: All document exhibits **MUST** be placed in binders under tabs, and each page must be numbered within each tab. The exhibit list must be included in the binders. Exhibits must be brought to Court on the first day of trial.

CONTINUANCES: All hearing dates, including trial dates, may be considered for a continuance by written Stipulation and Order. Said Stipulation and Order shall state the date the Complaint was filed, the current trial date, as well as the proposed Final Status Conference date and proposed trial date. If there is no stipulation, the parties may seek a continuance by noticed motion or an *ex parte* application.

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
STANLEY MOSK COURTHOUSE
JUDGE STEPHEN P. PFAHLER
DEPT. 68**

FINAL STATUS CONFERENCE ORDER

Based upon the representations of the parties at the Case Management Conference, the Court now orders a Final Status Conference (FSC) to be held on the date and time contained in the Case Management Order in **Department 68** of the above-entitled Court, located at 111 North Hill Street, Los Angeles, CA 90012. The Court strongly encourages personal appearance in Dept. 68 by all counsel for the FSC.

The purpose of the FSC is to verify that the parties/counsel are completely ready to proceed with trial on the scheduled date, continuously and efficiently, from day to day, until verdict. The Court issues the following orders pertaining to the FSC as follows:

1. **All parties shall meet and confer and exchange information at least fifteen (15) court days before the FSC as required by this order and *Los Angeles County Court Rules, Rule 3.25(g)*.** Any failure to timely comply with any item required by this order shall subject any such non-complying party to the imposition of appropriate sanctions, including but not limited to monetary, exclusion of evidence, issue preclusion, denial of a claim or defense, dismissal, or contempt (pursuant to *CCP* §§128.5, 177.5, 575.5 and 583.410; *Government Code* §68608, *CRC* Rule 526).
2. If the action is settled or otherwise resolved before the FSC, no appearance will be necessary as long as either a Request for Dismissal of the entire action or a Notice of Settlement under *California Rules of Court* Rule 3.1385 is electronically filed with this Court at least two (2) court days before the scheduled FSC. If a party is exempt from the electronic filing requirements, that party shall file and serve a printed copy of the Request for Dismissal or Notice of Settlement at least two (2) court days before the scheduled FSC. The parties are also requested to notify the Clerk of this Court immediately by phone [213-633-1068] upon settlement or resolution of the action.

3. **COURT TRIALS:**

For all Court trials, the following documents shall be filed electronically at least ten (10) calendar days before the FSC. Exempt parties may file the following documents either electronically or by conventional means (i.e., printed copies on paper) at least ten (10) calendar days before the FSC.

- a. Motions in Limine (if any),
- b. Trial Briefs,
- c. Joint Witness List, and
- d. Joint Exhibit List.

4. **JURY TRIALS:**

For all jury trials, the following documents shall be filed electronically at least ten (10) calendar days before the FSC. Exempt parties may file the following documents either electronically or by conventional means (i.e., printed copies on paper) at least ten (10) calendar days before the FSC.

- a. Motions in Limine (if any),
- b. Trial Briefs,

- c. Joint Witness List,
- d. Joint Exhibit List,
- e. Joint Statement of the Case,
- f. Joint Jury Instructions,
- g. Joint Verdict Form, and,
- h. 3-Ring Trial Binder containing all the documents above in 4.b through 4.g, with a table of contents.

5. **REQUIREMENTS FOR SPECIFIC TRIAL DOCUMENTS:**

a. **MOTIONS IN LIMINE**

All motions in limine, if any, must be in writing, numbered, and shall be served on all opposing parties and counsel and electronically filed at least **ten (10) calendar days** before the FSC. Untimely motions may not be considered. An opposition to any motion in limine must be in writing, numbered, and served and electronically filed by represented parties at least **five (5) calendar days** prior to the FSC. (Exempt parties may file same by conventional means on printed paper directly in Department 68.) The opposition must refer to the numbers used by the moving party. All parties must meet and confer on all motions in limine prior to filing said motions. Failure by any party or counsel to exchange or discuss any motion in limine may result in the refusal by the Court to hear any such motion in limine, pursuant to applicable court rules. Boilerplate or form motions in limine are disfavored. Each motion in limine brought for the purpose of precluding the mention or display of inadmissible and prejudicial matter in the presence of the jury shall be accompanied by a declaration in compliance with the requirements of Rule 8.92 of the *Los Angeles County Court Rules*.

Separate Notebooks Are Required for All Motions in Limine: In addition to filing electronically, any party filing the motion(s) in limine must also submit a 3-ring binder notebook containing all motions, oppositions, and replies. The notebook must have both a Table of Contents and tab dividers to separate each numbered motion and its corresponding opposition and reply. The notebook shall be submitted at least **two (2) calendar days** prior to the FSC. Late filed notebooks may result in the motions not being considered.

b. **TRIAL BRIEFS**

Trial briefs are mandatory for *all* (both Court and jury) trials and must include the following information:

- 1) A brief description of each cause of action and key affirmative defenses presented and the issues to be decided;
- 2) Statement of ultimate facts or issues to which you will stipulate;
- 3) Those facts established by admissions in pleadings; admissions by discovery and/or stipulation of the parties;
- 4) All contested issues of fact;
- 5) All contested issues of law, together with points and authorities supporting the position of the parties;

- 6) A list of major evidentiary issues anticipated, any relevant points and authorities supporting the position of the parties;
- 7) A detailed statement of the damages and relief claimed, including a specific breakdown of the elements of damages claimed and the amount sought; and,
- 8) Any other information that will assist the Court.

c. **JOINT WITNESS LIST**

The jointly prepared Witness List must include the name of each witness, an estimate of time for direct and cross-examination, and the total amount of time of all witness testimony combined for the entire trial. Potential scheduling problems must be noted.

d. **JOINT EXHIBIT LIST**

- 1) All parties must jointly prepare and exchange a completed Exhibit List, indicating each document and item of physical evidence, and whether there is a stipulation to authenticity and/or admissibility. Each exhibit shall be numbered or lettered. All parties shall agree in advance that their respective party will have a range of exhibit numbers or letters (*e.g.* Plaintiff No. 1: 1-99; Plaintiff No. 2: 100-199; Defendant: A-Z). Each exhibit must be separately identified. Subparts to an exhibit (*e.g.*, 1A, 1B, etc.) must also be identified and listed separately. Each page of a multi-page exhibit must be consecutively paginated. All items so referred to in the Exhibit List must be exchanged and/or reviewed by each counsel or the parties prior to the FSC. Identical copies of the Exhibit List and all exhibits must be provided in 3-ring binders as follows: one for each party, one for the Court, and one for the witness stand.
- 2) Each party must prepare a list of discovery material intended to be used at trial, including but not limited to interrogatories and requests for admissions and any responses thereto as well as deposition(s), all of which shall specifically identify the date, document, page and line. If depositions or other discovery responses are intended to be used at trial, originals shall be lodged with the Court at the time of trial.
- 3) Any party objecting to any listed exhibit, either as to foundation or admissibility, must first meet and confer prior to trial. Any objections not so discussed in the meet and confer shall be deemed waived except upon a showing of good cause.

e. **JOINT STATEMENT OF THE CASE**

The parties shall submit a printed copy of the jointly prepared, short, non-argumentative written statement of the case to be read to the jury.

f. **JOINT JURY INSTRUCTIONS**

Jury Instructions shall be submitted by both electronic filing and by a printed copy delivered directly to Department 68. However, non-represented parties are only required to submit jury instructions by delivering a printed copy directly to Department 68. As for all Jury Instructions, they must conform to the following requirements:

- 1) A jointly submitted packet of all requested and properly edited jury instructions to which there is no objection.

- 2) Each party shall also submit specifically requested and properly edited instructions not requested by the opposing counsel/party. These instructions shall be inserted into the aforementioned packet of the jointly submitted jury instructions, all to be considered and discussed by the Court at an appropriate time during the pendency of the trial.
- 3) The Court strongly encourages the use of CACI jury instructions.
- 4) The printed, hard copy of the jury instructions delivered directly to Department 68 shall be submitted on **2-hole punched, perforated paper** so as to allow for separation of the identification of the instruction from the text of the instruction, to be submitted to the jury for reference during deliberation. All requested CACI instructions, per the foregoing, must be submitted in proper form which includes:
 - A) At the top of each requested jury instruction, identification of the party/parties requesting the instruction;
 - B) Whether the instruction is to be given as requested or modified;
 - C) Whether the instruction is withdrawn; and
 - D) A signature line for the Court.

g. **JOINT VERDICT FORM**

A special verdict form is mandatory and shall be jointly prepared in final form. This special verdict form shall be adapted to CACI with proper spacing, particularly noted to allow for both clarity and direction.

6. **TRIAL BINDERS ARE REQUIRED FOR ALL JURY TRIALS BUT ARE DISCRETIONARY FOR ALL COURT TRIALS**

For all jury trials, the parties/counsel shall jointly prepare and lodge a trial binder with the Court at **least two (2) calendar days** before the FSC, containing the required trial documents, tabbed and organized into 3-ring binders, with a **Table of Contents** in the front of each binder, as follows:

- Tab A: Trial Briefs of all parties
- Tab B: Joint Witness List
- Tab C: Joint Statement to be Read to the Jury
- Tab D: Joint Exhibit List
- Tab E: Joint List of Jury Instructions (identifying the agreed upon and contested instructions)
- Tab F: Joint and Contested Jury Instructions
- Tab G: Joint and/or Contested Verdict Forms

The parties shall organize proposed jury instructions behind Tab F, with the agreed upon instructions first in order followed by the contested instructions (including special instructions) submitted by each party.

Please note that the trial binder and Motions in Limine binder(s) should be in separate notebooks.

7. **EXHIBITS**

All exhibits sought to be admitted by the parties shall be placed in Exhibit Notebooks. On the first day of trial, the parties are **ordered to jointly submit four identical copies of the Exhibit Notebooks as**

follows: one for each party, one for the Court, and one for the witness stand. Trial and evidentiary hearing exhibits shall not be filed electronically.

The Court strongly prefers the parties to file a joint exhibit notebook, containing both parties' exhibits in one notebook. Those exhibits can be numbered consecutively in the lower, right-hand corner of each document. Each page should be given an exhibit number, so that if an exhibit contains multiple pages, it should have a "-" (dash) delineating each page. For example, if Exhibit 1 consists of 3 pages, it would be numbered as follows: Exhibit 1-1, 1-2, and 1-3.

8. **DISCOVERY**

If the parties intend to use any discovery during trial, the parties must **exchange in writing no later than 10 court days prior to the FSC** the particulars of any such discovery. For example, if a party proposes to read or show a video excerpt from a deposition, the proffering party must identify in writing by name the deponent, page, and line numbers to opposing counsel no later than 10 court days prior to the FSC. Failure to provide the specific discovery intended to be used at trial in writing and on a timely basis may result in a Court order prohibiting the use of said discovery.

- All parties must serve on the opposing attorney/*in pro per* party in writing and **no later than 10 court days before the FSC** all excerpts from depositions, responses to interrogatories, responses to requests for admissions, or other discovery responses to be used for any purpose at trial other than solely for impeachment and mark each excerpt as an exhibit.
- All parties shall meet and confer in a good-faith effort to resolve admissibility issues related to these excerpts. Any unresolved disputes must be memorialized in writing.
- All parties shall submit to the judge no later than 10 court days before the FSC a list of all excerpts from depositions and other discovery responses to be used at trial except for impeachment, along with any stipulations to their admissibility.
- On the first day of trial, the parties must lodge with the courtroom clerk the originals of all deposition transcripts, to be used for any purpose, before trial begins.
- On the first day of trial, the parties must provide sufficient copies for the judge, the opposing parties, and the witness of all excerpts from interrogatories, requests for admission, depositions, and video depositions.
- Any objections to the use of discovery material shall be done by way of an *in limine* motion.

DATE: _____

STEPHEN P. PFAHLER
Judge of the Superior Court