

**COURTROOM INFORMATION FOR DEPARTMENT 86**  
***(revised 7/2/24)***

JUDGE: Hon. Curtis A. Kin

ADDRESS: Stanley Mosk Courthouse, Department 86 (8<sup>th</sup> Floor)  
111 N. Hill Street  
Los Angeles, CA 90012

TELEPHONE: (213) 830-0786

PUBLIC HOURS: 8:30 a.m. to 12:00 p.m.  
1:30 p.m. to 4:30 p.m.

**COURT CONNECT**

Court Connect appearances are permitted for all matters, including a hearing on a petition for writ of mandate (trial), or an ex parte application.

**CASE ASSIGNMENTS**

For petitions or complaints assigned directly to the Writs and Receivers departments, please familiarize yourself with Local Rules 2.8, 2.9, 3.231, and 3.232.

For an application/motion heard in the Writs and Receivers departments where the case is assigned to an Independent Calendar court for all purposes, the application/motion is assigned to a specific Writs department as follows: (1) Case numbers ending in 1-3 are assigned to Department 85; (2) Case numbers ending in 4-7 are assigned to Department 86; and (3) Case numbers ending in 8-0 are assigned to Department 82. (See Local Rules 2.8, 2.9.)

**CONTINUANCES**

All requests for continuance of a matter should be made by submission of (1) a stipulation and proposed order or (2) an ex parte application. Continuances will not be granted without a showing of good cause.

**TENTATIVE RULINGS**

If the Court issues a tentative ruling, it will be available on-line and in accordance with CRC Rule 3.1308.

### **EX PARTE APPLICATIONS**

Ex parte applications are heard Monday through Friday at 8:30 a.m. Ex parte applications shall be filed electronically by no later than 10:00 a.m. on the court day before the ex parte hearing. Self-represented litigants exempt from electronic filing may file their applications with the Clerk's Office in Room 102 of the Stanley Mosk Courthouse. All fees must be paid prior to filing the application.

If the ex parte application seeks a temporary restraining order and order to show cause re preliminary injunction, the moving party must submit a proposed form of order in the recommended format at the end of this document.

### **MOTION HEARINGS**

All law and motion hearing dates must be reserved in advance of the filing of the motion. The Court's regular hearing calendar is on Tuesdays and Thursdays at 1:30 p.m. This department DOES NOT use the CRS Online reservation system. Please call the courtroom to reserve your hearing date. If the moving party takes a motion off calendar, the moving party shall confirm that fact in writing.

The Court requires courtesy copies for all law and motion papers exceeding 15 pages. This page count includes the memorandum of points and authorities and exhibits, but not the table of contents, table of authorities, or proof of service.

### **COURT REPORTERS**

Court reporters will not be present for the Court's regular hearing calendar or ex parte applications. Any party may provide a court reporter. The Court encourages court reporters to appear in the courtroom to minimize audio complications and improve accuracy of transcription.

### **MANDAMUS TRIALS**

Trial dates on petitions for writ of mandate and other special proceedings assigned to Dept. 86 are set by the Court at the trial setting conference. They are not reserved in advance with the clerk. These matters are set on the Court's regular hearing calendar—Tuesdays and Thursdays at 1:30 p.m.

### **ADMINISTRATIVE RECORD**

For administrative mandamus or for traditional mandamus review of quasi-legislative agency actions, the parties shall comply with Local Rule 3.231(g)'s requirements for preparation and submission of the record. The record shall be lodged with the Court by no later than the due date for filing and service of the Reply Brief. If such record exceeds 450 pages (including any transcripts), the parties must prepare a joint appendix. The joint appendix shall be a hard copy submitted in accordance with the guidance below. If the parties submit a joint appendix, the complete record may be submitted in electronic format (USB flash drive preferred). When the record is provided in electronic format, it must be searchable by Bates-stamp number.

## **JOINT APPENDIX**

The purpose of the joint appendix is to provide the court with a single, easy-to-use binder of the evidence supporting the parties' respective positions. The joint appendix must be prepared as follows:

1. The joint appendix shall include the entire operative agency decision that is being challenged, as well as all pages of the record cited in the parties' briefs. Generally, only the cited pages should be included in the joint appendix and not the entire document in which those pages are contained. If it is necessary to provide context to a cited page, the joint appendix may include the document cover page, a witness identification page, and/or other pertinent pages from the source document, even if not actually cited.
2. **The pages in the joint appendix shall be in numerical Bates-stamped order no matter which party cited the particular page.**
3. The joint appendix may have labeled side tabs separating the pages that come from different documents.
4. Any party may highlight information on a joint appendix page that is important for the Court's review.
5. The joint appendix must be submitted in a three-inch spiral bound or three-ring binder. If the joint appendix consists of more than one volume, each volume shall be clearly labeled on its cover and/or spine (e.g. Vol. 1 of \_\_\_\_).
6. The joint appendix must be lodged with the Court no later than the due date for the Reply Brief.

## **EVIDENCE IN TRADITIONAL MANDAMUS**

The parties shall comply with Local Rule 3.231(h) when preparing and submitting evidence for a petition for traditional mandamus. The parties shall meet and confer to determine whether they can agree upon a joint appendix. Such joint appendix shall be bates-numbered consecutively, and the parties shall refer in their briefs to the evidence by the joint appendix Bates numbers. The joint appendix should be prepared and submitted in accordance with paragraphs 3-6 of the "**JOINT APPENDIX**" guidance above. If the parties cannot agree upon a joint appendix, petitioner must bates-stamp any evidence it wants the Court to consider and submit such evidence with the Opening Brief. Respondent shall, in turn, bates-stamp any evidence it wants the Court to consider (starting with the number following the petitioner's evidence) and submit such evidence with the Opposition Brief.

### **PROPOSED JUDGMENTS AND WRITS OF MANDATE**

In accordance with Local Rule 3.231(n), the prevailing party on a prerogative writ will be ordered to prepare, serve, and ultimately file a proposed judgment and, if applicable, a proposed writ of mandate. Such proposed judgment and writ of mandate should substantially conform to the suggested Form of Judgment and Form of Writ at the end of this document.

**Form of TRO/OSC re Preliminary Injunction**

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES**

\_\_\_\_\_,  
Plaintiff.

vs.

\_\_\_\_\_,  
Defendant.

Case No. \_\_\_\_\_

**ORDER TO SHOW CAUSE RE:  
PRELIMINARY INJUNCTION  
AND TEMPORARY RESTRAINING  
ORDER**

**ORDER**

The court having read and considered the ex parte application for temporary restraining order and order to show cause re preliminary injunction and the evidence in support heard on [DATE], hereby orders:

**ORDER TO SHOW CAUSE RE PRELIMINARY INJUNCTION**

TO \_\_\_\_\_:

Based upon the complaint filed in this action, the ex parte application and the documents in support thereof, you are ordered to appear on [DATE], at [TIME], in Department 86 of the above-captioned court located at 111 N. Hill St., Los Angeles, California, to show cause why a preliminary injunction should not be ordered pending trial in this case restraining and enjoining you, your agents, employees and \_\_\_\_\_ from:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

THE COURT ORDERS THE FOLLOWING SCHEDULE:

Plaintiff shall serve the moving papers, any filed supplemental papers, the summons and complaint, and this Order upon Defendant(s) by \_\_\_\_\_, 20 . Plaintiff shall file proof of service of the foregoing within two Court days of effectuating service.

Any opposition shall be filed and served by \_\_\_\_\_, 20 .

Any reply shall be filed and served by \_\_\_\_\_, 20 .

Service of the foregoing shall be accomplished personally (or as otherwise provided by statute or rule), unless the parties can mutually agree in writing to some other form of acceptable service.

At the time of filing and service, courtesy copies of the foregoing shall be brought directly to Department 86.

**TEMPORARY RESTRAINING ORDER**

TO DEFENDANT(S): \_\_\_\_\_

Pending hearing on the order to show cause, you, your agents and \_\_\_\_\_ are restrained and enjoined from:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

All papers shall be e-filed in accordance with the court's First Amended General Order.

IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
CURTIS A. KIN  
JUDGE OF THE SUPERIOR COURT

**Form of Judgment**

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES**

_____,  Petitioner(s).	Case No. _____
vs.	<b>JUDGMENT</b>
_____,  Respondent(s).	

The hearing on the petition for writ of mandate came on for hearing on \_\_\_\_\_, in Department 86 of the Los Angeles County Superior Court, Judge Curtis A. Kin presiding. \_\_\_\_\_ appeared for Petitioner(s), and \_\_\_\_\_ appeared for Respondent(s). After considering the memorandum and supporting documents [the record - if administrative mandate] and argument of counsel, the Court hereby ADJUDGES AND DECREES AS FOLLOWS:

**[DENIAL]**

[The Court denies the writ of mandate in its entirety. Judgment is entered in favor of Respondent(s) and against Petitioner(s). Petitioner(s) shall take nothing from the petition.]

**[GRANT]**

[The Court grants the petition. Judgment is entered in favor of Petitioner(s) and against Respondent(s). A Peremptory Writ of Mandate will issue ordering Respondent(s) to: [specify actions to be taken, e.g. set aside the decision of the agency and reconsider in light of the court's decision.]

[OPTIONAL – provision regarding costs and attorneys' fees, if any]

DATED: \_\_\_\_\_

\_\_\_\_\_  
CURTIS A. KIN  
JUDGE OF THE SUPERIOR COURT

**Form of Writ**

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES**

\_\_\_\_\_,  
Petitioner(s).

vs.

\_\_\_\_\_,  
Respondent(s).

Case No. \_\_\_\_\_

**WRIT OF MANDATE**

Whereas judgment was entered on \_\_\_\_\_, ordering that a  
peremptory writ of mandate issue:

To [name of party or entity to whom writ is directed]:

YOU ARE HEREBY COMMANDED TO: [Specify action ordered, e.g., set aside the  
decision of x date and reconsider the decision in light of the court's ruling].

YOU ARE FURTHER COMMANDED to make and final a return to this Writ  
within \_\_\_\_\_ days of its receipt, setting forth what you have done to comply.

[SEAL]

CLERK OF THE SUPERIOR COURT

\_\_\_\_\_  
Deputy Clerk