

LOS ANGELES SUPERIOR COURT
DEPARTMENT NW-A CIVIL INDEPENDENT CALENDAR
JUDGE HUEY P. COTTON, ASSIGNED FOR ALL PURPOSES

COURT WEBSITE:

WWW.LACOURT.ORG

LOCAL RULES:

<http://www.lacourt.org/courtrules/ui/index.aspx?ch=Chap2&ct=TR&&tab=2>

Courtroom Information: 6230 Sylmar Avenue, Department A, Van Nuys, CA 91401.

Telephone number: (818) 901-4603

Courtroom hours: 8:30 a.m. to 12:00 p.m. and 1:30 p.m. to 4:30 p.m.

EX PARTE APPLICATIONS: Ex parte applications for Department A are heard MONDAY-THURSDAY at 8:30 a.m.

FSCs AND TRIALS: The parties must comply with the Court's Final Status Conference and Trial Order on the following pages.

<div style="text-align: center;"> vs. </div>	<div style="text-align: center;"> Plaintiff(s) </div>	<div style="text-align: center;"> File Stamp </div>
	<div style="text-align: center;"> Defendant(s) </div>	<div> Case No: </div>
		<div> <input type="checkbox"/> TRIAL SETTING CONFERENCE <input type="checkbox"/> CASE MANAGEMENT </div>

☐ 1. TRIAL SETTING CONFERENCE DATE: _____ at 8:30 a.m.

Notice: Counsel are respectfully requested *not* to become engaged in any matter that would interfere with the above trial date. Trial dates are firm and will not be continued absent a showing of good cause in accordance with C.R.C. Rule 3.1332. The parties will comply with the C.R.C., Rule 3.1332 with respect to continuances. A court order is required to change any dates in the case management order. Any request to change trial dates must be made by ex parte application or by noticed motion. Stipulated continuances of Trial, FSC, or MSC dates will not be permitted. A failure to complete the trial within the parties' time estimate may result in a mistrial or other consequences.

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☐ 4. **FINAL STATUS CONFERENCE**

A Final/Further Status Conference is set for: _____ at
8:30 a.m. in this department.

☐ 5. **MOTION FOR SUMMARY JUDGMENT/SUMMARY ADJUDICATION**

All Dispositive motions will be heard on _____ at
8:30 a.m.

☐ 6. **ALTERNATE DISPUTE RESOLUTION**

(a) **Arbitration**

☐ (1) The Court finds that this case has not yet been submitted to judicial arbitration and that the amount in controversy will not exceed \$50,000.00 for each plaintiff. The Court therefore orders that this case be submitted to judicial arbitration (C.C.P. §1141.11). The arbitration shall be concluded by _____. Sanctions may be imposed for failure to appear or to participate in ordered arbitration.

☐ (2) The parties stipulate that this case shall be submitted to judicial arbitration which shall be concluded by _____; the parties sharing the costs as follows: _____.

(b) **Mediation**

☐ The parties stipulate that this case shall be referred to mediation which shall be concluded by _____.

(c) **Settlement Conference**

☐ (1) A Mandatory Settlement Conference (MSC) is set for _____ at 8:30 a.m., in N.W. "A." Pursuant to LACCR, Rule 3.25(d)(1), all trial counsel, parties, and persons with authority are required to be in attendance at the MSC. All party MSC briefs must be filed five (5) court days prior to the conference.

☐ (2) The parties stipulate that a Voluntary Settlement Conference (VSC) be held by an agreed-upon settlement officer and the parties sharing the costs as follows: _____. The VSC shall be concluded by _____.

Counsel are also ordered to notify the clerk of this court immediately by telephone [(818) 901-4603] upon resolution of this case and to file a Request for Dismissal within twenty-one (21) days from case resolution. The notice of case resolution shall be prepared on 28-lined legal paper to include caption, title, and case number.

☐ 7. **LAW AND MOTION**

- (a) All hearing dates must be reserved using the Court Reservation System (CRS™) located at www.LACourt.org. For Further Discovery Motion dates, or if otherwise directed to do so, you may contact the Clerk in this court at (818) 901-4603.
- (b) Check-in time for all law and motion matters is 8:30 a.m. – Mondays through Fridays.
- (c) All ex –parte motions are heard at 9:00 a.m., Mondays through Thursdays, or as soon thereafter as the court calendar will allow.
- (d) **The Court does not hear Ex-Parte Motions on Fridays.**

All law and motion matters shall be filed and noticed for hearing not later than as required by statute. **NOTE: Use of CRS does not alter or extend any statutory deadlines or obligations, including giving notice. It is your sole responsibility to serve and file the corresponding documents pursuant to the statutory requirements.**

☐ 8. **DISCOVERY**

- (a) All discovery (except expert witness depositions) is to be completed in accordance with applicable statutes (i.e., 30 days before initial trial date—C.C.P. §2024.010; 2024.020), unless otherwise ordered by the court.

Parties may agree to participate in an Informal Discovery Conference (IDC) with the Court. A two (2) page summary of the dispute should be delivered to the Court twenty-four (24) hours prior to the scheduled IDC. These conferences may be scheduled by contacting the Court staff. They are set in the afternoon, and usually set within ten (10) days of a request.

- (b) The Court expects all counsel and their clients to comply with the discovery provisions of the Code of Civil Procedure as well as all local and state rules concerning discovery. Court intervention should be reserved for matters in which good-faith efforts cannot resolve, such as issues arising from differences as to the application of legal principles to a particular discovery request but not issues as to breadth, ambiguity, etc. The Court strongly encourages counsel to resolve discovery motions informally. If discovery issues and motions cannot be resolved

informally, the Court will typically continue the original hearing date and ask counsel to renew, meet and confer efforts. If the motion(s) are fully resolved, upon notification, the Court will take the pending motion(s) off calendar. If a hearing is necessary, trial counsel (not associate attorneys or appearance counsel) will appear on the hearing date with whatever materials are necessary to meaningfully participate in a court-supervised meet and confer and will be prepared to spend whatever time is necessary to resolve the discovery motion(s). Counsel are not required to appear if the motion(s) has/have been taken off calendar.

☐ **9. EXPERT WITNESSES**

☐ (1) Demand for exchange of information concerning expert trial witnesses shall be in writing and shall be made no later than the 10th day after the initial trial date has been set or 70 days before that trial date, whichever is closer to the trial date [C.C.P. §2034.220]. If the date falls on a Saturday, Sunday, or holiday, the last day shall be the next court day closer to the trial date.

☐ (2) Exchange of information concerning expert trial witnesses shall be made no later than 50 days before the initial trial date or 20 days after service of the demand for exchange of information, whichever is closer to the trial date, unless the Court, on motion and a showing of good cause, orders an earlier or later date of exchange [C.C.P. § 2034.230 (a)(b)]. If date falls on a Saturday, Sunday, or holiday, the last day shall be the next court day closer to the trial date.

☐ (3) All expert-witness depositions are to be completed in accordance with applicable statutes (i.e., 15 days before the initial trial date—C.C.P. § 2024.010; 2024.030).

☐ **10. FICTITIOUS PARTIES**

☐ Plaintiff represents that this action is at issue as to all defendants against whom plaintiff intends to proceed. As of the date of this order, all DOE defendants and all named defendants who have not been defaulted or who have not yet appeared are dismissed.

☐ Cross-complainant represents that this action is at issue as to all cross-defendants against whom cross-complainant intends to proceed. As of the date of this order, all DOE cross-defendants and all named cross-defendants who have not been defaulted or who have not yet appeared are dismissed.

☐ **11. DESIGNATION OF TRIAL COUNSEL**

The parties identify the following as trial counsel (Judicial Administration Standard 9(3)(i)):

- | | |
|--|----------------------------------|
| <input type="checkbox"/> Plaintiff _____ | Attorney _____
Tel. No. _____ |
| <input type="checkbox"/> Plaintiff _____ | Attorney _____
Tel. No. _____ |
| <input type="checkbox"/> Defendant _____ | Attorney _____
Tel. No. _____ |
| <input type="checkbox"/> Defendant _____ | Attorney _____
Tel. No. _____ |
| <input type="checkbox"/> Cross-Complainant _____ | Attorney _____
Tel. No. _____ |
| <input type="checkbox"/> Cross-Defendant _____ | Attorney _____
Tel. No. _____ |
| <input type="checkbox"/> See attached list (for multi-party cases) to be supplied by counsel no later than
the Final Status Conference date: _____. | |

☐ **12. OTHER ORDERS**

- (1) _____
- (2) _____
- (3) _____

Dated: _____



HUEY P. COTTON
Judge of the Los Angeles Superior Court

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

<div style="text-align: center; margin-top: 100px;">vs.</div> <div style="text-align: right; margin-top: 100px;">Plaintiff(s)</div> <div style="text-align: right; margin-top: 100px;">Defendant(s)</div>	File Stamp
	Case No:
	FINAL STATUS CONFERENCE ORDER

Based upon the representations of the parties at the STATUS CONFERENCE, held on _____, the Court now orders a FINAL STATUS CONFERENCE to be held on _____ commencing at 8:30 a.m. in Department A of the above-entitled court, located at 6230 Sylmar Avenue, CA 91401, and issues orders pertaining thereto as follows:

1. **TRIAL COUNSEL** are required to appear at the Final Status Conference.
2. Counsel shall **meet and confer and/or exchange information as required by this order and LACCR, Rules 3.25(h3.170, 3.172, and 3.57.** 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 (C.C.P. §§ 128; 128.7; 177.5; 575.2; 583.150; 583.410; GC §68608; CRC 2.30).
3. If the action is settled or otherwise resolved before the Final Status Conference, no appearance will be necessary as long as a Request for Dismissal of the entire action or Notice of Settlement under California Rules of Court, §3.1385 is filed directly with this court at least two (2) court days before the scheduled Final Status Conference. Counsel is also requested to notify the clerk of this court immediately by phone [(818) 901-4603] upon settlement or resolution of the action.
4. Counsel shall **meet and confer in person** at least **ten (10) days** before the Final Status Conference to exchange, discuss, and prepare for submission to this court all **edited jury instructions; a jointly submitted draft of: final special verdict form(s); a statement of**

the case; exhibits, as well as a separately prepared list pertaining to all exhibits and witnesses (see below).

5. The following documents shall be prepared **and exchanged between** (in the possession of) all counsel **and filed** directly in this department at least **five (5) days** before the Final Status Conference.

A. MOTIONS IN LIMINE

1.) Boilerplate or form motions *in limine* are disfavored. **Counsel shall meet and confer on all motions in limine.** All motions *in limine* must be in writing and shall be served (in the possession of) opposing party or counsel at least **ten (10) court days** before the Final Status Conference date. Any opposition to any motion *in limine* must be **in writing and served** (in the possession of opposing party or counsel) at least **five (5) court days** prior to the Final Status Conference. Any failure by any party or counsel to exchange or discuss any motion *in limine* may result in the refusal of the Court to hear any such motion *in limine* pursuant to applicable court rules. Each motion *in limine*, 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 3.57 of the LACCR. Each motion must be numbered sequentially** (Plaintiff's Motion in Limine No., 1, Defendant's Motion in Limine No.1).

2.) *In Limine* motions shall be submitted in discrete packets (i.e. a separate packet for each motion) including the moving, opposition, and reply papers.

B. TRIAL BRIEFS

Trial briefs are mandatory in all cases and must include:

- 1.) A brief description of the claims and 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 counsel.
- 4.) All contested issues of fact.
- 5.) All contested issues of law, together with points and authorities supporting the position of counsel.
- 6.) A list of major evidentiary issues anticipated and any relevant points and authorities in support of a position of counsel.
- 7.) A detailed statement of the relief claimed including a breakdown of the elements of damages claimed.
- 8.) Any other information that will assist the court. Except in extraordinary cases, trial briefs should not exceed twenty (20) pages in length.

C. STATEMENT OF THE CASE

Jointly prepare a short, non-argumentative written statement of the case to be read to the jury.

D. WITNESS LIST

The **jointly prepared** witness list must include each witness' name, a brief description of the testimony, a time estimate on direct and cross, any potential scheduling problems, and whether he/she will be assisted by an interpreter.

E. EXHIBIT LIST

- 1.) Counsel must **jointly prepare** and exchange a complete Exhibit List including each document and item of physical evidence. Do not attach the exhibits to the list. Do not include depositions, declarations, motions, interrogatories, responses, or pleadings as exhibits. All items so referred to on the Exhibit List must be exchanged and/or reviewed by counsel prior to the Final Status Conference. A copy of the exhibit list shall be provided to each counsel, **the court, and the clerk of the court**. Counsel shall comply with LACCR, Rules 3.52, 3.151, 3.53, 3.149, 3.150, and 3.152..
- 2.) Any party objecting to any listed exhibit, either as to foundation or admissibility, must file the objection in writing together with a brief statement of the ground for objection. Any objections not so stated as per the foregoing shall be deemed waived except upon a showing of good cause.
- 3.) Exhibits need not be lodged prior to the first day of trial, except as necessary for any *in limine* determinations.

F. JURY INSTRUCTIONS

Jury instructions shall be submitted as follows: (Note: **Jury instructions not submitted in this format will be returned.**)

- 1.) A **jointly submitted** packet of all requested and **properly and fully edited** CACI jury instructions to which there is objection. (LACCR, Rule 8.25) (Note: Counsel are advised to make all edits necessary to eliminate duplicate instructions and inconsistencies.)
- 2.) Each counsel may submit specifically requested and **properly edited** instructions not requested by any opposing counsel. 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.) All requested instructions, per foregoing, must be submitted in the proper form, which includes:
 - a. At the top of each requested jury instruction, identification of the party/parties requesting instruction;
 - b. Whether the instruction is to be given as requested or as modified;
 - c. Whether the instruction is withdrawn; *and*
 - d. A signature line for the Court.

All requested instructions shall be submitted **on 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.

G. VERDICT FORMS

A general verdict form is mandatory and shall be **jointly prepared** in draft or final form. The special verdict form shall be adapted to CACI with proper spacing, particularly noted to allow for both clarity and direction. (LACCR 3.172, 3.25 (i)(8).)

PROCEDURES FOR MAKING AND ARGUING OBJECTIONS AT TRIAL

- 1.) All objections, statements and argument shall be made to the Court rather than to opposing counsel. Speaking objections are prohibited. Only the legal basis for an objection shall be stated by counsel. Further argument may be allowed by the Court outside the presence of the jury and only upon the appropriate and timely request by counsel.
- 2.) The Court requests that the conduct of all counsel before the Court and with regard to each other shall be professional, civil, courteous, and respectful.

TIME ESTIMATES

The total estimate given by counsel at the CASE MANAGEMENT CONFERENCE will be adhered to by the Court. Unless otherwise noted in the initial status conference order, the total time estimated for trial will be divided equally among the parties. At the final status conference, each counsel must be prepared to specify the

amount of time allotted to each of the party's witnesses which is not to exceed the parties' original time allotment.

OTHER ORDERS:

Dated: _____



HUEY P. COTTON
Judge of the Los Angeles Superior Court

09/01/22