

DEPARTMENT F43
COURTROOM INFORMATION
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Judge: Michael O’Gara **Judicial Assistant:** Michael Henderson **Courtroom Assistant:** Sukhwinder Saund

Court Address: 9425 Penfield Avenue, Chatsworth, CA 91311 **Telephone Number:** (818) 407-2243
Courtroom Hours: 8:30 a.m. to 4:30 p.m. (Lunch Break 12:00 p.m.-1:30 p.m.)
Trial Hours: 10:30 a.m. to 4:15 p.m. (Lunch Break 12:00 p.m.-1:30 p.m.) Monday-Friday

CHECK IN: Check-in begins at 8:30 a.m.

CIVILITY AND DECORUM: The Court’s goal of fair, timely, and efficient resolution of cases can only be achieved with the assistance and cooperation of counsel and self-represented parties. Knowledgeable, well-prepared lawyers who cooperate with each other and the Court streamline the litigation process, thereby conserving client and judicial resources. Therefore, the Court expects and requires the highest degree of professionalism from counsel appearing in this Department. The Court will treat everyone with dignity and respect and expects all those involved to do the same. Uncivil or unprofessional behavior will not be tolerated.

COURT REPORTERS: If you require a court reporter, you must provide your own. 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.**
Reporters at trial should provide *Real Time* connections.

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. F43 are to 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 necessary.**

The following motions require lodging with the court courtesy copies of each party’s points and authorities, along with any separate statements, exhibits, or other documents filed in support or opposition: Summary judgment motions; anti-SLAPP motions, petitions for writ of attachment; applications for preliminary injunctions; motions to compel *further* discovery responses, and any other motions of any kind where the points and authorities and any accompanying supporting materials exceed 35 pages in length. Failure to do so may result in the motion being taken off calendar.

DEMURRERS: More than 30,000 demurrers are filed each year in the Los Angeles County Superior Court. That number is far too high. Demurrers are rarely granted without leave to amend and typically accomplish little if anything

that could not be obtained by stipulation, other than causing the other side to think more carefully about the case and be better prepared for trial. Counsel intending to file a demurrer should review the new requirements, including meet and confer requirements, set forth in Code of Civil Procedure section 430.41, and rethink whether a demurrer is necessary or even advisable. Demurrers filed without compliance with the meet and confer requirements will be taken off calendar.

DISCOVERY MOTIONS: The Court strongly **discourages** discovery motions and requires the parties to exhaust meet and confer efforts before filing discovery motions. **“Meet and confer” in Department 43 means *in person* or via phone. A letter or email does not suffice.**

LACourtConnect: Appearances through LACourtConnect are allowed for all hearings **except trials/prove-ups and settlement conferences.** (**See below for *ex parte* hearing requirements). **No prior court approval is necessary.** To schedule an appearance through LACourtConnect, please visit LACourt.ca.gov, 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.

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.

TRIALS: The Court sets trial dates at the Case Management Conference once the case is at issue. Final Status Conferences are conducted approximately ten days before the trial date.

Department F43 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 F43 at the time of the electronic filing. All trial documents filed by self-represented litigants must be filed directly in Department F43 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. Binders should be provided for the Judge, Judicial Assistant, Opposing Counsel and Reporter.

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
NORTH VALLEY DISTRICT, CHATSWORTH BRANCH
JUDGE MICHAEL O’GARA
DEPT. F43**

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 F43** of the above-entitled Court, located at 9425 Penfield Avenue, Chatsworth, CA 91311. **Appearance at the FSC through LACourtConnect is optional. No prior Court approval is necessary.** To schedule an appearance through LACourtConnect, please visit LACourt.ca.gov, 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.

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/or 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 the 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 [(818) 407-2243] 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 the same by conventional means on printed paper directly in Department F43.) 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. Before a party files a motion in limine, the court expects counsel and self-represented parties to know the legal principles governing the appropriate and inappropriate use of such motions. (*Kelley v. New West Federal Savings* (1996) 49 Cal.App.4th 659, 670-671; Los Angeles County Court Rule 3.57; and attached **Motions in Limine Best Practices**.) Boilerplate or form motions in limine are disfavored.

Separate Notebooks Are Required for All Motions in Limine: In addition to filing electronically, the 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 and not exceed 20 pages:

- 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 F43.** However, non-represented parties are only required to submit jury instructions by delivering a printed copy directly to Department F43. 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 F43 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 TRIALS**

For all trials (jury and non-jury), 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.

9. **JURY SELECTION**

- a. The court uses the “6-pack” selection method, with 18 seated for voir dire. Challenges for cause and peremptory challenges are exercised until only 11 prospective jurors remain in the jury box. The remaining seven open seats are re-filled, and voir dire begins again as to only the newly-seated prospective jurors. This process is continued until the jury and alternates are selected. The objective is to have the jury box and the six-pack seated before the start of each round of peremptory challenges.
- b. In every case, the Court generally asks the questions set forth in the California Rules of Court, Standard 3.25, Examination of Prospective Jurors in Civil cases.
- c. Each side is given a reasonable amount of time for attorney voir dire of the first group of 18, but the court expects that less time will reasonably be required on subsequent rounds as to the seven or fewer new prospective jurors. The Court is not rigid about the allotted time if the parties are using the time reasonably.
- d. Hardship and Comfort Questions Prohibited: Counsel are not to ask “comfort” questions of the jury like inquiring whether they would rather be doing something other than jury service or whether they are likely to be bored if the case is complicated. Another typical “comfort” question is the question, “is there anybody who doesn’t want to be here for any reason?” California Judicial Administration Standards section 3.25(h). Further, with respect to hardship issues, be they vacations, meetings, doctor’s appointments, or anything else, the Court will ask each juror to write out their hardships or conflicts. Counsel are not to inquire about hardships with the jurors unless it is an individual inquiry after reading and considering the note written by the juror and having received permission from the Court.

10. **WITNESSES**

- a. It is counsel’s responsibility to have their witnesses available during their case to avoid unnecessary trial delays. If a party has no more witnesses to call, the Court may deem the party to have rested. The Court expects that counsel will exercise reasonable judgment in arranging for witnesses.
- b. If a witness has not completed his or her testimony at the time of recess or adjournment, counsel shall have the witness on the stand before the jury is seated.
- c. If a party requests that a witness be called during another party’s case-in-chief, counsel for that party shall meet and confer with opposing counsel promptly upon learning of the need for witness accommodation.
- d. If a witness requires an interpreter or needs an accommodation based on disability or otherwise, counsel shall make any necessary arrangements with the Court Clerk sufficiently in advance to avoid trial delays.
- e. The Court, not counsel, will admonish a witness while on the stand about responding to questions. LACSCR 3.108.

- f. Unless a witness is excused, counsel is admonished to refrain from discussing testimonial issues with witnesses at any time when the Court is in recess or not in session. A witness is a ward of the Court and is not entitled to be cured, assisted, or helped approaching his/her cross examination. See *Kadelback v. Amaral* (1973) 31 Cal.App.3d 814. Counsel may talk to unexcused witnesses for scheduling or other nontestimonial issues.

- g. Counsel need not request permission from the Court to approach a witness. LACSCR 3.110.

DATE: January 7, 2026

MICHAEL O’GARA
Judge of the Superior Cour

Motions in Limine Best Practices

- 1) Meet and confer before drafting MILs.
- 2) Serving scores of motions will likely obscure the critical ones.
- 3) Do not file a MIL to educate the court on an issue---do this in the trial brief instead.
- 4) Do not provide the same pages of exhaustive case description for context in every MIL. Instead, put this in the trial brief.
- 5) Parties making EC 352 objections should be prepared with a short limiting instruction if the court admits the evidence.
- 6) The more exhibits are offered with an MIL (i.e.500 pages of records), the less likely the subject is appropriate for an MIL, because this volume of evidence suggests the issues are not only legal, but include weighing evidence.
- 7) The following MILs usually should never be drafted or at least not survive meet and confer because counsel should not disagree:
 - a) Exclude speculative evidence.
 - b) Exclude expert opinion from non-experts.
 - c) Confine experts to the area of their disclosure.
 - d) Bar evidence of insurance coverage, prior settlements.
 - e) Bar evidence not produced in discovery.
 - f) Seeking bifurcation of punitive damages (it's automatic on request) or to exclude the finances of a party in the liability phase.
 - g) Witnesses to be disclosed in advance.
 - h) Exclude percipient witnesses from trial before they have testified.

Department F-43 Song-Beverly Litigation Discovery Order

Discovery

1. **General Orders:**
 - a. Absent written agreement of the parties to the contrary, any formal discovery propounded and currently pending or outstanding by a party in these matters is stayed pending further order of the Court.
 - b. The Court find under CCP §§ 2017.010, 2017.020(a), and 2019.020(b) that the sequence and timing of discovery in these matters should be the subject of management by the Court in the interests of justice pending a future status conference, given the nature of the allegations in the Complaint and the defenses raised in the Answer.
 - c. The parties are free to stipulate, in writing, to modify and/or delete any of these general orders, as they deem appropriate. A party may also seek to modify and/or delete any of these orders, via noticed motion, upon showing of good cause. Compliance is excused to the extent the parties may have already provided discovery consistent with this order.

2. **Production of Documents:** Within 45 days of this order, both plaintiff and defendant shall provide copies of the following documents, which are in their respective possession, custody and/or control, to the opposing side(s):
 - a. Purchase or lease contracts concerning the subject vehicle, including any associated documents, reflecting OEM or aftermarket equipment installed at the dealership, ELWs or service contracts, and any other writings signed by the plaintiff at point of sale.
 - b. Work orders, repair orders, and invoices (including accounting and warranty versions) for any maintenance, service and repair activity concerning the subject vehicle.
 - c. Rental car or loaner agreements regarding alternate transportation provided during service or repair visits concerning the subject vehicle.
 - d. Records of communications with dealer personnel, and/or factory representatives and Defendant's call center or customer assistance personnel concerning the subject vehicle.
 - e. Warranty claims submitted to and/or approved by Defendant concerning the subject vehicle.
 - f. Warranty Policy and Procedure Manual or similar policies or claim-handling procedures published by Defendant from the date the subject vehicle was purchased or leased to the date the lawsuit was filed.
 - g. Defendant's written statements of policy and/or procedures used to evaluate customer requests for repurchase or replacements pursuant to "Lemon Law" claims including ones brought under Song-Beverly Consumer Warranty Act, from the date the subject vehicle was purchased or leased to the date lawsuit was filed.
 - h. A list or compilation of customer complaints in Defendant's electronically stored information database that are substantially similar to the alleged defects claimed by

- plaintiff, in vehicles purchased in California for the same year, make and model of the subject vehicle. A substantially similar customer complaint would be the same nature of reported symptom, malfunction, dashboard indicator light, or other manifestation of a repair problem as the description listed in any work order or repair order for the subject vehicle, other than routine or scheduled maintenance items. The list provided by Defendant may be in the chart or spreadsheet format, and shall include the CIN, date of repair visit, dealership or other reporting location, and the text of the other customers' reported complaint, but shall not include the other customers' names, addresses, phone numbers, e-mail addresses, or other personal identifying information.
- i. Technical Service Bulletins and Recall Notices for vehicles purchased or leased in California for the same year, make and model of the subject vehicle
 - j. Copies of any repair instruction, bulletin, or diagnostic / repair procedure identified in any of the repair order/invoice records for the subject vehicle,
 - k. Receipts or other written evidence supporting any incidental or consequential damages claimed by Plaintiff.

If a party believes any of this information should be subject to a protective order, that party shall serve and file a proposed protective order within 5 days of this order and the parties shall meet and confer as to agreeable language for the same. The default will be the standard Protective Order provided by the SCLAC on its website.

The information may be provided to the opposing party in the 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 stipulation and/or court order (via motion upon showing good cause).

3. **Interrogatories:** Within the time limits allowed by law, both plaintiff and defendant may propound one set of Judicial Council Form Interrogatories and one set of a maximum of 35 special interrogatories. Any additional special interrogatories may only be propounded by stipulation and/or court order (via motion upon showing good cause).
4. **Depositions:** Within the time limits allowed by law, Defendant may depose plaintiff, and plaintiff may depose the person most knowledgeable (PMK) as to up to 5 categories of information plus a deposition of the PMK as to why the subject vehicle was not repurchased, in addition to depositions of any experts identified by the parties, after a formal demand and exchange of expert witness information, per CCP § 2034. Parties shall meet and confer as to whether there is a need to take any additional depositions. Any additional depositions may only be noticed and taken by stipulation and/or court order (via motion upon showing good cause).

If a deponent resides outside of the state, the deposition may be taken by video conference or telephone. The parties will not be required to travel to California, and the attorneys will not be required to travel out of state.

5. **Vehicle Inspection:** Within the time limits allowed by law, the subject vehicle may be inspected by the parties at a mutually agreeable time and place. Unless otherwise agreed by the parties, the vehicle inspection (VI) process shall be as follows:
- a. Defendant shall show Plaintiff's representative proof of insurance for the person / company who will be road resting the vehicle;
 - b. The defense VI shall commence at 8:00 a.m. at an authorized service and repair facility closest to Plaintiff's residence, and may continue until no later than 5:00 p.m. that same day;
 - c. Plaintiff shall deliver the vehicle to the noticed place of inspection. If the subject vehicle has a dead battery, Plaintiff's counsel shall notify the Defendant's counsel at least one court day before the VI and the VI shall proceed with the Defendant paying for the tow or jump start to the place of inspection and taking reasonable steps to retrieve stored diagnostic codes and other onboard data before the battery is recharged or replaced.
 - d. Defendant shall provide Plaintiff's representative with duplicate copies of all paper and electronic documents created during and because of the VI, such as test results, the stored codes in the vehicle's internal network or in its control units, alignment sheets, etc.;
 - e. If the subject vehicle is in then-current use by the Plaintiff, and if requested within a reasonable time, in writing, prior to the VI, Plaintiff shall be provided a loaner or rental vehicle paid for by Defendant for the duration of the VI, conditioned on plaintiff providing standard rental car disclosures such as proof of a current driver's license and insurance coverage, and with plaintiff responsible for the loaner vehicle's fuel. The loaner vehicle need not be the same model or type as the subject vehicle unless Plaintiff agrees to pay for an upgrade;
 - f. Defendant shall be permitted to run tests of relevant electronic control units (ECUs) and components, conditioned on Defendant maintaining, downloading, or printing out stored data on the existing condition or historical information stored in an ECU; and
 - g. Plaintiff's representative is permitted to conduct video and audio recording of the VI. IT IS SO ORDERED.

Dated: January 7, 2026

Michael O'Gara
Judge of the Superior Court