

**COURTROOM INFORMATION**  
**GLENDALE COURTHOUSE - DEPARTMENT E**

JUDGE: **A.G. Chowdhury**

JUDICIAL ASSISTANT: **Angela Ataryan**

COURTROOM ASSISTANT: **John Hernandez**

LOCATION: **Dept. E, Room 260, 2nd Floor  
Glendale Courthouse,  
600 E. Broadway  
Glendale, CA 91206**

TELEPHONE NUMBER: **(818) 265-6423**

COURTROOM HOURS: **8:30 a.m. – Noon  
1:30 p.m. - 4:30 p.m.**

**I. CIVILITY**

The Court places a high value on civility, courtesy, and professionalism in the practice of law and the judicial process.

The Court expects all attorneys and parties to treat each other, witnesses, jurors, court personnel, the Court, and others with the highest level of courtesy both inside and outside the courtroom.

In short, everyone in the courtroom is expected to be civil at all times.

The Los Angeles County Bar Association has adopted “Guidelines for Civility in Litigation” which the Superior Court of Los Angeles County has adopted as recommendations to members of the bar. (Super. Ct. L.A. County, Local Rules, Appendix 3A.) The Court expects all attorneys and parties to read and to follow those guidelines.

Excessive interrupting or talking over other parties or counsel or the Court will not be tolerated. Shouting and abusive language or behavior will not be tolerated. Unfounded personal attacks against opponents will not be tolerated.

The Court does not seek to create an environment of undue deference or formality. The Court simply requests that all discussions and proceedings be conducted in a reasonable and civil manner.

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## II. GENERAL INFORMATION

### A. Court Appearances

Counsel may appear in person or by LACourtConnect.

For in-person appearances, you must check in with the courtroom assistant and provide a business card that indicates the party you represent.

For attorneys making appearances via LACourtConnect, you **must** turn on your video cameras during your appearance.

If you are having difficulties turning on your video camera while using LACourtConnect, please visit <https://my.lacourt.org/laccwelcome>, where you will find tutorials, instructions, and downloads. Also, please be advised that there is a dedicated Service Desk for LACourtConnect users. The Service Desk is available at (213) 830-0400, Monday through Friday (except court holidays), between 7:30 a.m. and 5:30 p.m. Attorneys are strongly advised to consult these resources before the day of an appearance.

Parties should be advised that the Court does not place great emphasis on dress, for in-court or virtual appearances. The parties and attorneys are welcome to dress however they are most comfortable, keeping in mind that the courtroom is a business-like environment and that their dress should not be “distracting to others of usual sensibilities.” (Super. Ct. L.A. County, Local Rules, rule 3.43.)

Similarly, the Court does not place limits on where parties or counsel can call in from for remote appearances, but parties and counsel appearing virtually should do whatever is reasonably possible to avoid distracting background noises, activity, images, or objects. (Super. Ct. L.A. County, Local Rules, rule 3.42.)

Please, for your own safety, among other things, do not call in for a virtual appearance while driving a car.

The parties and counsel should be advised that, when appearing by LACourtConnect or by phone, they are deemed to be “in court,” for all relevant purposes.

### B. Courtesy Copies

The Court does not require courtesy copies of filed documents unless it makes a specific request. The only exceptions are Informal Discovery Conference Statements and ex parte oppositions, as explained below.

### C. Court Reporters

The Court does not ordinarily provide official court reporters. A party who has received a fee waiver may request an official court reporter by filing form SCLAC LACIV 269 before the hearing or trial. A party who has not received a fee waiver may arrange for the presence of a certified shorthand reporter to serve as official pro tempore reporter.

The Court strongly recommends the use of court reporters for both bench trials and jury trials.

### D. Interpreters

An interpreter may be provided if arranged for in advance, however one cannot be guaranteed for an exact date and time.

## III. PRETRIAL MATTERS

### A. Case Management Conferences

Case Management Conferences are held Monday through Thursday at 8:30 a.m.

The parties are to

- (1) meet and confer—in person or by telephone—no later than 30 days before the hearing, and
- (2) file a CMC statement on Judicial Council Form CM-110 within five (5) days of the hearing.

(Cal. Rules of Court, rules 3.722-3.725; Super. Ct. L.A. County, Local Rules, rule 3.25.)

All defendants must be served with the complaint by the case management conference. If all defendants have not been served, plaintiff or plaintiff's counsel must submit a declaration to the court five (5) days prior to the hearing explaining what efforts have been undertaken to accomplish service. (Cal. Rules of Court, rule 3.110.)

The parties are referred to Cal. Rules of Court, rule 3.722(c) (requiring counsel appearing at the Case Management Conference" to "be prepared to discuss and commit to the party's position on the issues listed in rules 3.724 and 3.727"; *see also* (Super. Ct. L.A. County, Local Rules, rule 3.25(a).)

The Court does not take the view that "specially appearing attorneys" are exempted from the obligations set out in the California Rules of Court regarding Case Management Conferences.

The parties should be advised that the Court does not simply issue trial dates at the Case Management Conference. The parties should be prepared to discuss all the items listed in Cal. Rules of Court, rule 3.727.

It is unacceptable for “specially appearing counsel” or appearance counsel to appear at a Case Management Conference and state that they are unfamiliar with the details of the case. Such conduct may result in sanctions against appearing counsel and/or counsel of record for violation of the California Rules of Court and the Local Rules of the Superior Court of Los Angeles County.

#### B. Law And Motion

Law and motion hearings are conducted on Thursdays and Fridays beginning at 8:30 a.m. Parties must obtain and schedule a motion hearing date via the online Court Reservation System (CRS) on the Superior Court of Los Angeles County website: “Online Services” tab.

Time permitting, the Court may post tentative rulings on the Court’s website at [www.lacourt.ca.gov](http://www.lacourt.ca.gov) the day prior to the hearing. If both parties agree to submit on the tentative, you may let the Court know by calling the Court at (818) 265-6422. However, if you agree to submit, and the other party does not, the Court may proceed with the hearing even if you do not appear and may issue a ruling different from the tentative.

#### C. Discovery Motions—Informal Discovery Conferences

The Court expects and encourages the parties’ counsel and any self-represented parties to informally resolve discovery disputes, instead of using expensive and cumbersome discovery motions.

The parties must first meet and confer in person, by video conference, or by telephone call to attempt to informally resolve all discovery issues. If the parties cannot agree, the Court requests that the parties schedule an Informal Discovery Conference (IDC) with the Courtroom Assistant and participate in the IDC before filing any discovery motion.

Five days before the IDC, each counsel shall file and serve an IDC statement no longer than 2 pages, without attachments, or a joint IDC statement no longer than 5 pages, without attachments (preferred). The parties shall provide the Court with hard-copy courtesy copies of the IDC statement on the day of filing.

#### D. *Ex Parte* Applications

*Ex parte* applications are reserved for exigent circumstances, solely for extraordinary relief and should be used with discretion. The applicant shall comply with

Cal. Rules of Court, rule 3.1202(c): “An applicant must make an affirmative factual showing in a declaration containing competent testimony based on personal knowledge of irreparable harm, immediate danger, or any other statutory basis for granting relief *ex parte*.”

The Court hears *ex parte* applications **Monday through Thursday** at 8:30 a.m. *Ex parte* applications must be e-filed and noticed no later than 10 a.m. the court day prior to the hearing. The notice must be included in the declaration and a proposed order must be presented with the moving papers.

Self-represented litigants must still give proper notice but may file their *ex parte* application at 8:30 a.m. on the day of the hearing in the Clerk’s Office on the first floor, Room 102.

Oppositions must be e-filed no later than 8:30 a.m. on the day of the hearing and courtesy copies are required directly in the courtroom.

*Ex parte* applications are reviewed in chambers and while the Court may have questions it may not entertain oral argument.

#### **IV. FINAL STATUS CONFERENCES**

The Court will set a Final Status Conference (FSC) at least 10 days prior to the trial. The purpose of the FSC is to verify that the parties are completely ready to proceed to trial continuously and efficiently, from day to day, until verdict. Unless the Court orders, otherwise, lead trial counsel must attend the FSC.

Department E has a Trial Preparation Order which applies to every case set for trial. A copy of the Order is attached at the end of this courtroom information sheet. The Court expects counsel and any self-represented parties to work together to jointly prepare and submit the documents and binders required by that order.

As set forth in more detail in the Trial Preparation Order, no later than 5 calendar days before the Final Status Conference, the parties must electronically file the documents listed below. By no later than 3 calendar days before the Final Status Conference, the parties are to submit to the Court a hard copy binder containing these previously filed documents under the following tabs:

Tab A – Trial Briefs

Tab B – Joint Witness List

Tab C – Joint Exhibit List

Tab D – Joint Statement to be Read to the Jury

Tab E – List of Proposed Jury Instructions (Joint and Contested)

Tab F – Full Text Jury Instructions (Joint and Contested)

Tab G – Joint Verdict Form

Tab H – Joint Page and Line Designation for Deposition and Former Testimony

Tab I – Copies of the Current Operative Pleadings (including the operative complaint, answer, cross-complaint, and answer to any cross-complaint).

Tab J – Motions in Limine (unless they are voluminous enough to merit their own binder).

For non-jury trials, the documents behind Tabs D, E, F and G do not apply and need not be filed. In non-jury trials, those tabs of the trial binder should be left empty.

## **V. TRIALS**

### **A. Scheduling**

Trials are scheduled on Mondays at 9:00 a.m.

### **B. Court Reporter**

The parties/counsel should arrange for a court reporter for trial, and “real-time” for the bench is greatly appreciated. Parties who do not provide a court reporter for trial are directed to meet at the close of each session and prepare a joint statement of the witness testimony presented that day. The joint statement must be lodged with the Court the next morning before proceedings resume. No exceptions.

### **C. Jury Fees**

Jury fees must be paid on a daily basis. The judicial assistant will advise of the daily rate.

### **D. *Voir Dire***

The Court will begin the jury selection process by questioning the first twenty-four potential jurors (or as many as logistically possible). The Court will inquire using the “questions on the board” (name, area of residence, marital status, occupations, and

previous jury experience). The Court, if requested, will also *voir dire* on any sensitive areas. The parties will be allowed to voir dire for a reasonable period of time.

Each party is entitled to six (6) peremptory challenges. If there are multiple parties to each side, each side generally shares eight (8) so long as each side receives an equal number. (Cal. Civ. Proc. Code § 231(c).)

#### E. Opening Statements

Neither party is required to give an opening statement and a defendant may reserve it until after the presentation of the opposing party's case in chief. Opening statements should not be used to argue your case, pre-instruct, or precondition the jury. Present the jury a roadmap as to what you believe the evidence will show. Use of visual aids in opening statement is generally not allowed unless previewed and agreed upon by all parties/counsel. (Super. Ct. L.A. County, Local Rules, rule 3.97.)

#### F. Display of Demonstrative Evidence

Department E is equipped with a large screen monitor visible to the jury with an ELMO overhead projector and computer connections at counsel table. There is also a monitor on the witness stand. The parties must provide their own cables and computer, and a pre-trial test run is encouraged as the Court is not able to provide technical support. If a PowerPoint is to be used, a copy of the slides must be shared with the opposing counsel prior to the presentation leaving sufficient time to object.

#### G. Witnesses Availability

Out of respect for all the parties and jurors involved, please have witnesses present and ready to testify. The Court will not inconvenience the jury just because a witness does not appear, and a party may be forced to rest.

#### H. Use of Deposition Transcripts and Discovery Responses

Prior to the commencement of the trial, deposition transcripts and discovery responses shall be lodged with the Court (SCLAC Local Rule 3.56). Before reading into evidence any portion of a deposition, interrogatory, or request for admission, the party shall advise the Court and opposing party of the page and line number of the deposition, or the numbers of the interrogatories or requests for admission to be read or shown to the witness (SCLAC Local Rule 3.158).

#### I. Objections

The parties must refrain from speaking objections. Objections shall be in the form of "objection," and a statement of the grounds for the objection (for example, relevance, hearsay, asked and answered).

J. Use of Exhibits

Counsel may publish exhibits to the jury only after they have been admitted into evidence. If counsel agree that exhibits will be admitted without objection, counsel may publish the agreed-upon exhibits to the jury during opening statement.

K. Multiple Counsel for a Party

If a party has more than one lawyer, only one lawyer per witness may conduct the direct examination or cross-examination or make objections.

L. Closing Arguments and Jury Instruction

Counsel or self-represented parties should be prepared to present closing arguments upon completion of the evidence. The parties are reminded that any visual aids or graphic devices a party intends to use during closing argument must be shown to the opposing party before the closing argument. (Super. Ct. L.A. County, Local Rules, rule 3.180.)

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

PLAINTIFF,		)	Case No. CASE NO
	Plaintiff,	)	TRIAL PREPARATION ORDER
vs.		)	
DEFENDANT,		)	Glendale Courthouse Dept. E
	Defendant.	)	
		)	

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The dates for trial and for the Final Status Conference having been set in this case, the court orders as follows:

**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 2.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

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1 make a good faith effort to stipulate to ultimate facts and legal issues, and (5) discuss and  
2 make a good faith effort to settle the case.

3 **2. TRIAL DOCUMENTS TO BE FILED**

4 All trial documents are to be filed pursuant to the General Order re Mandatory  
5 Electronic Filing for Civil dated November 5, 2018. Pursuant to California Rules of Court,  
6 Rule 2.253 (b)(2), self-represented litigants are exempt from the mandatory electronic filing  
7 requirement. No later than five calendar days before the Final Status Conference, the parties'  
8 counsel and any self-represented parties shall file and serve the following documents:

9 **A. TRIAL BRIEFS**

10 Each party shall file a trial brief succinctly identifying:

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

15 **B. JOINT WITNESS LIST**

16 The parties' counsel and any self-represented parties shall work together to prepare  
17 and file a joint list of all witnesses whom any party intends to call at trial, excluding  
18 impeachment and rebuttal witnesses. (Los Angeles County Court Rule ("Local Rule") 3.25,  
19 subd. (g)(5).) The joint witness list shall be organized with columns (in the format set forth  
20 below) which state (1) the name of each witness (in alphabetical order), if the witness is being  
21 called to testify as an expert, and any special requirements or accommodations needed for the  
22 witness (e.g., interpreter), (2) the party calling the witness, (3) whether the witness is actually  
23 expected to testify, (4) a brief description of the witness's expected testimony, (5) an estimate  
24 of the length of direct examination (in hours), (6) an estimate of the length of cross-  
25 examination (in hours), and (7) the total estimated length of examination (in hours). At the  
26 end of the joint witness list, the parties and any self-represented parties shall add up the  
27 estimated times for all witnesses' testimony and state the grand total in the last column. Any  
28 witness who is not included on the joint witness list is subject to being excluded from

1 testifying at trial other than for purposes of giving actual impeachment or rebuttal testimony.  
 2 Any party who seeks to elicit testimony from a witness not identified on the witness list must  
 3 first make a showing of good cause to the court.

**JOINT WITNESS LIST**

Name (State if Expert)	Party Calling (Π/Δ)	Actually Expected to Testify? (Yes/No)	Brief Description of Testimony	Length of Direct (in hours)	Length of Cross (in hours)	Total Length (in hours)

**C. JOINT EXHIBIT LIST**

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

**JOINT EXHIBIT LIST**

No.	Description	Offered by(Π/Δ)	Stipulate to Authen? (Yes/No)	Stipulate to Admiss? (Yes/No)	Evidentiary Objections	Date marked for ID	Date Admitted

**D. JOINT STATEMENT TO BE READ TO THE JURY**

26 For jury trials, the parties’ counsel and any self-represented parties shall work together  
 27 to prepare and file a brief, joint written statement of the case for the court to read to the jury.  
 28 (Local Rule 3.25, subd. (g)(4).)

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

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

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

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14                   **F. JURY INSTRUCTIONS**  
15                   **(JOINT AND CONTESTED)**

16                   For jury trials, the parties’ counsel and any self-represented parties shall work together  
17 to prepare a complete set of full text proposed jury instructions, editing all proposed Judicial  
18 Council of California Civil Jury Instructions (“CACI”) instructions, inserting party names, and  
19 eliminating blanks and other irrelevant or inapplicable material. The proposed jury  
20 instructions shall be prepared on Superior Court of Los Angeles County form SCLAC LACIV  
21 129 or in a Word document that is in the same format. If there is an appropriate CACI jury  
22 instruction on a point of law, the court expects the parties to request the CACI instruction  
23 instead of a specially prepared jury instruction.

24                   **G. VERDICT FORM(S)**

25                   For jury trials, the parties’ counsel and any self-represented parties shall work together  
26 to prepare and file a joint proposed general verdict form or a joint proposed special verdict  
27 form acceptable to all parties. (Local Rule 3.25, subd. (g)(8).) If the parties cannot agree on a  
28 joint verdict form, each party must separately file a proposed verdict form. The court urges

1 the parties to consider a general verdict form. When a special verdict form is requested, if  
2 there is an appropriate CACI special verdict form for a cause of action, affirmative defense, or  
3 other finding, the court expects the parties to use the CACI special verdict form.

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

6 If any parties intend to use deposition testimony or former trial testimony in lieu of or  
7 in addition to a witness's live testimony, the parties' counsel and any self-represented parties  
8 shall meet and confer to discuss, and work together to prepare and file, a joint chart in the  
9 format set forth below ("Joint Chart of Page and Line Designations for Deposition and Former  
10 Testimony"). In the joint chart, each designating party's designations of deposition or former  
11 testimony shall include columns which state: (1) the designation number and name of the  
12 witness, (2) the date and type of testimony (e.g., deposition or trial testimony), (3) the page  
13 and line designations of the deposition or former testimony requested to be used, (4) any  
14 objections, (5) whether the other party has counter-designated any additional deposition or  
15 former testimony of the witness that relates to the designation, and, if so, the designation  
16 number of the counter-designation, and (6) the court's ruling. In the joint chart, each counter-  
17 designating party's counter-designations of additional deposition or former testimony of the  
18 witness that relates to the designations shall include columns which state: (1) the designation  
19 number and name of the witness, (2) the date and type of testimony (e.g., deposition or trial  
20 testimony), (3) the page and line counter-designations of the deposition or former testimony  
21 requested to be used, (4) any objections, (5) the designation number of the other party's  
22 designation to which the counter-designation relates, and (6) the court's ruling. The parties  
23 shall attach a copy of the pages of the transcripts of the deposition or former testimony they  
24 are designating or counter-designating to the Joint Chart of Page and Line Designations for  
25 Deposition and Former Testimony, with numbered tabs separating each deposition or trial  
26 transcript. For each transcript, all pages containing the designations and counter-designations  
27 shall be included in a single document in page order behind a single tab. Each designation and  
28 counter-designation shall be highlighted, with each party using a different color highlighter.

**JOINT CHART OF PAGE AND LINE DESIGNATIONS FOR DEPOSITION  
AND FORMER TESTIMONY**

**I. Plaintiff's Designation**

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	

**Defendant's Counter-Designations**

Number/Witness Name	Date/Type of Transcript	Page: Line Designation	Objections	Is there a Counter? (Yes/No/#)	Ruling
4. John Doe	1/3/20 Depo	1:26-2:20		#1	

**II. Defendant's Designations**

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	

**Plaintiff's Counter-Designations**

Number/Witness Name	Date/Type of Transcript	Page: Line Designation	Objections	Is there a Counter? (Yes/No/#)	Ruling
7. John Doe	3-4-19 Trial Testimony	5:26-6:10		#5	

**3. MOTIONS IN LIMINE**

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 section 1005 and file declarations that comply with the requirements of Los Angeles County Court 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.

If the motions in limine are too voluminous to fit behind Tab J in the Trial Binder, the parties must submit a separate motion in limine no later than three calendar days before the

1 Final Status Conference. The Motions in Limine Binder shall include one-sided, conformed  
2 copies of all motions in limine, opposition papers, and reply papers, organized in one or more  
3 three-ring binders, tabbed in numerical order with the opposition papers and reply papers for  
4 each motion placed directly behind the moving papers with a colored sheet of paper separating  
5 the moving, opposition, and reply papers.

6 **4. EXHIBIT BINDERS**

7 The parties' counsel and any self-represented parties shall work together to jointly  
8 prepare four sets of tabbed, internally paginated by document, and properly marked exhibits,  
9 organized numerically in three-ring binders (a set for the court, a set for the Judicial Assistant,  
10 and a set for the witnesses) ("Exhibit Binders"). Copies of documentary exhibits shall be one-  
11 sided copies. The parties' counsel and any self-represented parties shall mark all non-  
12 documentary exhibits and insert a simple written description of the exhibit behind the  
13 corresponding numerical tab in the Exhibit Binders. The parties' counsel and any self-  
14 represented parties shall also place the court's yellow evidence tags (with only the case  
15 number and exhibit number filled in) on each exhibit in the Judicial Assistant's copy of the  
16 Exhibit Binder. The parties' counsel and any self-represented parties shall bring one set of the  
17 Exhibit Binders to the Final Status Conference for the court to review.

18 **5. TRIAL BINDER**

19 No later than three calendar days before the Final Status Conference, the parties'  
20 counsel and any self-represented parties shall jointly prepare and lodge in Department E a  
21 Trial Binder, consisting of one-sided, conformed copies, tabbed and organized in a three-ring  
22 binder with a table of contents that includes the following (for trials by the court without a  
23 jury, the Trial Binder shall include only the documents listed under Tabs A, B, C, H, and I  
24 with the other sections left empty):

25 Tab A: Trial Briefs

26 Tab B: Joint Witness List

27 Tab C: Joint Exhibit List

28 Tab D: Joint Statement to Be Read to the Jury

1 Tab E: Joint List of Jury Instructions

2 Tab F: Joint and Contested Jury Instructions

3 Tab G: Joint or Contested Verdict Form(s)

4 Tab H: Joint Chart of Page and Line Designations for Deposition and Former  
5 Testimony

6 Tab I: Copies of the Current Operative Pleadings (including the operative complaint,  
7 answer, cross-complaint, if any, and answer to any cross-complaint).

8 Tab J: Motions in Limine, unless they are too voluminous and require their own  
9 binder.

10 The parties shall organize proposed jury instructions into groups behind Tab F in the  
11 following order (labeled by cover sheets): (1) the agreed-upon instructions, (2) plaintiff's  
12 requested instructions to which defendant objects, and (3) defendant's requested instructions to  
13 which plaintiff objects.

14 **6. FAILURE TO COMPLY WITH TRIAL PREPARATION ORDER**

15 The court has discretion to require any party's counsel and any party who fails to  
16 comply with this Trial Preparation Order to show cause why the court should not impose  
17 monetary, evidentiary or other sanctions.

18 IT IS SO ORDERED.

19  
20 DATED: 01/02/2025

21   
22 Hon. A.G. Chowdhury  
23 Judge of the Superior Court of Los Angeles County  
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# **Notice to All Counsel Re: Lemon Law Cases**

**Judge Ashfaq G. Chowdhury – Department E**

## **Customary Rulings Re Document Requests** **(Song-Beverly Litigation)**

When the court is faced with a discovery dispute in a Song-Beverly case, the court will usually order that the plaintiff and defendant provide copies of the following documents, which are in their respective possession, custody and/or control, to the opposing side:

1. Defendant shall produce the “Warranty Policy and Procedure Manual” published by Defendant and provided to its authorized repair facilities, within the State of California, for the period of [date of purchase] to present.
2. Defendant shall produce any internal analysis or investigation regarding defects alleged in plaintiff’s complaint in vehicles for the same year, make and model of the subject vehicle. This includes Recall Notices and Technical Service Bulletins. Defendant is not required to do a search of emails.
3. Defendant shall produce any customer complaints relating to defects alleged in plaintiff’s complaint in vehicles purchased in California for the same year, make and model of the subject vehicle.
4. Defendant shall produce all documents evidencing policies and procedures used to evaluate customer requests for repurchase pursuant to the Song-Beverly Consumer Warranty Act, for the period of [date of purchase] to present.
5. Repair orders and invoices concerning the subject vehicle.
6. Communications with dealer, factory representative and/or call center concerning the subject vehicle.
7. Warranty claims submitted to and/or approved by Defendant concerning the subject vehicle.
8. Purchase and/or lease contract concerning the subject vehicle.
9. Repair orders and invoices concerning the subject vehicle.
10. Any documents supporting plaintiff’s claim for incidental and/or consequential damages.

# **Notice to All Counsel Re: Lemon Law Cases**

**Judge Ashfaq G. Chowdhury – Department E**

## **Standing Order Re Discovery** **(Song-Beverly Litigation)**

### *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 this matter prior to the date of this CMC Order is stayed pending further order of the Court.
- b. The Court finds under CCP § 2019.020(b) that the sequence and timing of discovery in this matter 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 defense 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.

#### **2. Production of Documents:** Within 60 days of service 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 the 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 vehicles.
- c. Rental car or loaner agreements regarding alternative 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. Warrant 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 replacement pursuant to "Lemon Law" claims, including ones brought under the Song-Beverly Consumer Warranty Act, from the date the subject vehicle was purchased or leased to the date the lawsuit was filed.

- h. A list of 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 VIN, date of repair visit, dealership or other reporting location, and 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 vehicle purchased or leased in California for the same year, make and model of the subject vehicle.
- j. Copies of any repair instruction, bulletin, or other 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 in its website.

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 verification with the documents they produce.

Any additional requests for documents may only be propounded by stipulation and/or court order (via motion upon showing of 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 maximum of 35 special interrogatories. Any additional special interrogatories may only be propounded by stipulation and/or court order (via motion upon showing of good cause).
- 4. Deposition:** 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 of good cause).

If a deponent resides out of 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 mutual 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 testing the subject 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 defendant's counsel at least one court day before the VI, and the VI shall proceed with 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 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.

Plaintiff's attorney is ordered to provide service of this Order and the attached Joint Case Management Conference Statement Addendum to all defense attorneys upon service of the Summons and the Complaint.

IT IS ORDERED:

Dated: 01/02/2025



\_\_\_\_\_  
Ashfaq G. Chowdhury  
Judge of the Superior Court

Case No. \_\_\_\_\_ Case Name: \_\_\_\_\_

**Motor Vehicle Personal Injury Cases  
Joint Case Management Conference Statement Addendum**

**TO THE PLAINTIFF(S)/ATTORNEY(S) FOR PLAINTIFF(S) OF RECORD:**

You are ordered to serve this Motor Vehicle Personal Injury Case Addendum to Case Management Conference Statement on all parties/attorneys of record concurrently with the Notice of Case Management Conference.

**TO ALL PARTIES/ATTORNEYS OF RECORD:**

You are ordered to meet and confer in person or by telephone and to respond to the following questions, stating your respective positions. Plaintiff is responsible for filing the completed Joint Case Management Conference Statement Addendum no later than five (5) court days before the date set for the Initial Case Management Conference. (See California Rules of Court, Rules 3.724, 3.725.)

1. Motions

a. Will there be a motion to change venue? Will the parties stipulate to a change of venue?

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b. Will there be a motion to compel arbitration?

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c. Will there be any discovery motions?

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d. Will there be a summary judgment motion?

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e. Will there be a Walker motion to send the case to limited civil?

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f. Will there be any other pretrial motions excluding motions in limine?

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2. Discovery

a. Has an inspection of the vehicle been scheduled? \_\_\_ Yes Date: \_\_\_\_\_ \_\_\_ No

If no vehicle inspection has been scheduled, by what date will the vehicle inspection take place?

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Have the parties decided that no vehicle inspection will take place?

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b. What documents have the parties agreed to exchange, and what is the time frame agreed for the exchange?

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c. Have the parties agreed to identify persons who have information about the subject matter of the litigation, and what is the time frame agreed for the identification?

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d. Have the parties agreed to make insurance claims adjusters' files available for exchange?

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3. Mediation

What needs to be done before a meaningful mediation can take place, and what is a reasonable time frame for accomplishing those tasks?

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a. Will the insurance companies agree to mediate or arbitrate the claim?

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4. Preliminary Settlement Discussions

Have the parties tendered an offer/demand? \_\_\_ Yes \_\_\_ No  
Has there been a CCP 998 offer of judgment? \_\_\_ Yes \_\_\_ No

5. Crash Information

a. Did the police come to the accident scene?

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b. Is there a police report?

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c. Has the police report been produced in discovery?

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d. Did an ambulance come to the accident scene?

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e. Was the plaintiff transported to the hospital from the accident scene?

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f. Did the plaintiff seek medical treatment on the day of the accident?

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g. What is the estimated speed of the vehicles at the time of collision?

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6. Damages

a. What is the amount of plaintiff's current medical expenses?

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b. What is the estimated amount of plaintiff's future medical expenses?

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c. What is the nature of plaintiff's injuries?

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d. Is plaintiff making a claim for property damages?

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e. What is the amount of property damages?

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f. Is there any other claim for property damages beyond the vehicle?

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g. Is the plaintiff making a claim for loss of income?

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h. What is the amount of plaintiff's claim for loss of income?

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i. What is the nature of the lost income? Wages? Salary? Commissions? Lost profits?

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j. Is the plaintiff making a claim for general damages?

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k. What is the amount of general damages?

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l. What is the type of general damages?

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7. Insurance

a. Does the plaintiff have auto insurance?

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b. If so, what are the policy limits?

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c. Does the defendant have auto insurance?

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d. If so, what are the policy limits?

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e. Is the insurance company providing a defense?

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f. Is there an uninsured motorist issue?

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8. Liability

a. Is there a claim for motor vehicle negligence?

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b. Is there a claim for general negligence?

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c. Is there a claim for negligent entrustment?

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d. If so, what is the basis for the claim?

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e. Is there a claim for per se negligence?

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f. Is there a claim for violations of the vehicle code?

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g. If so, what section of the vehicle code?

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h. Will the defendant admit liability?

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i. Are there any criminal charges pending or contemplated?

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j. Is there a criminal investigation on-going?

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I am completely familiar with this case and will be fully prepared to discuss the status of discovery and alternative dispute resolution, as well as other issues raised by this addendum, and will possess the authority to enter into stipulations on these issues at the time of the initial case management conference, including the written authority of the party where required.

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(TYPE OR PRINT NAME)

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(SIGNATURE OF PARTY OR ATTORNEY)

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(TYPE OR PRINT NAME)

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(SIGNATURE OF PARTY OR ATTORNEY)