

SUPERIOR COURT OF CALIFORNIA – COUNTY OF LOS ANGELES
SOUTHWEST DISTRICT (TORRANCE COURTHOUSE)

COURTROOM INFORMATION

DEPARTMENT M

JUDGE: Gary Y. Tanaka
JUDICIAL ASSISTANT: Ms. Ahn
COURTROOM ASSISTANT: Ms. Fondon
COURTROOM LOCATION: 825 Maple Avenue, Dept. M (3rd Floor)
Torrance, CA 90503
COURTROOM TELEPHONE: (310) 787-3716
COURTROOM HOURS: 8:30 A.M. to 4:30 P.M. (Recess: 12:00 P.M. – 1:30 P.M.)

Welcome to Department M. Department M is an independent/direct calendar court.

I. GENERAL INFORMATION

1. **Courtroom Hours.** 8:30 a.m. to 12:00 p.m. / 1:30 p.m. to 4:30 p.m.
2. **Remote Appearances.** Remote appearances are permitted for all pretrial related matters through LACourtConnect, unless otherwise directed by the Court. To schedule a remote appearance via telephone or video, please visit the Court’s website at <https://my.lacourt.org/laccwelcome>.
3. **Filing of Documents.** All documents must be electronically filed, unless otherwise exempt, pursuant to the First Amended General Order re Los Angeles Superior Court – Mandatory Electronic Filing for Civil, dated May 3, 2019.
 - a. **Documents Filed Under Seal.** Documents submitted *conditionally under seal* are to be emailed unredacted directly to Department M’s email address for review. Please contact Dept M for the Court’s email address.
 - b. **Application or Motion.** The actual application or motion to submit documents under seal must be electronically filed and comply Cal. Rules of Court (“CRC”), Rules 2.550-2.551.

II. EX PARTE

Ex parte applications must comply with CRC, Rule 3.1200, *et seq.* *Ex parte* applications are generally reviewed in chambers. However, the Court will hear oral arguments, if necessary, after completion of the morning calendar.

III. CASE MANAGEMENT CONFERENCES

Counsel and parties are expected to comply with the rules governing case management conferences.

1. **Governing Rules.** Case Management Conferences (“CMC”) are governed by CRC, Rules 3.722, *et seq.* and Los Angeles County Court Rules (“Local Rule”), Rule 3.25.
2. **Filing of Statement.** A case management statement must be filed at least fifteen (15) days prior to the hearing using mandatory Case Management Statement Form CM-110. (CRC, Rule 3.725.)
3. **Service of Complaint.** The Complaint must be served on all defendants and proofs of service on those defendants must be filed within 60 days of the filing of the Complaint. (CRC, Rule 3.110(b).)
4. **Service of Cross-Complaint.** If a Cross-Complaint adds a new party, the Cross-Complaint must be served on all parties and proofs of service on the new parties must be filed within 30 days of filing the Cross-Complaint. (CRC, Rule 3.110(c).)
5. **Failure to Serve.** If all defendants have not been served prior to the CMC hearing, and an order extending time to serve has not been obtained, plaintiff must submit a declaration at least five (5) days prior to the CMC explaining what efforts have been undertaken to accomplish service. If the Court determines the explanation to be inadequate, an order to show cause (“OSC”) why sanctions should not be imposed may be scheduled. (CRC, Rule 3.110(f).) Responsive papers to an OSC must be filed and served at least five (5) calendar days before the hearing. (CRC, Rule 3.110(i).)

IV. LAW & MOTION

1. **Court Reservation System.** Parties must reserve a date for all law and motion hearings through the Court’s online “Court Reservation System” at <https://www.lacourt.org/division/efiling.efiling2.aspx>.
2. **Date and Time.** Motions are reserved/scheduled Monday through Thursday at 8:30 a.m., except for motions for summary judgment/adjudication which are reserved/scheduled at 10:00 a.m.

3. **Advancing Date.** If the first available date is further out than needed, reserve/schedule the available hearing date, and, if a qualified basis exists, file an *ex parte* application to shorten time to advance the motion to an earlier date.
4. **Tentative Rulings.** Tentative rulings are generally issued the day prior to the hearing, but there may be occasions when a tentative ruling may be posted on the day of the hearing or not at all. If all parties are prepared to submit on the tentative, contact the clerk to determine if an appearance will still be necessary.

V. DISCOVERY

1. **Court's Expectation.** The Court expects counsel and parties to resolve discovery disputes among themselves in a courteous, reasonable, and professional manner through a credible and meaningful meet and confer process, instead of simply defaulting to expensive and cumbersome discovery motions.
2. **Discovery Motions.** Discovery motions must be reserved/scheduled through the Court's Reservation System and filed per code. (See, CCP §§ 2016.010, *et seq.*; See, also, CRC, Rule 3.1100, *et seq.*)
3. **Motions to Compel Further Responses.** Motions to compel further responses must be accompanied by a meet and confer declaration stating facts that show a reasonable and good faith attempt was made to informally resolve each issue presented by the motion. (See, CCP §§ 2016.040, 2030.300(b)(1), 2031.310(b)(2), 2033.290(b)(1).)
4. **Informal Discovery Conferences (IDC).** IDCs can resolve the vast scope of discovery disputes without the need for protracted law and motion. Department M requires IDCs be conducted **prior** to a reserved/scheduled motion hearing date when: (1) each party to the discovery dispute is represented by counsel; and (2) the discovery dispute seeks to compel further responses, depositions, protective orders, and physical or mental examinations. IDCs are not required for motions to compel initial discovery responses or discovery disputes involving self-represented litigants.
 - a. **IDC Scheduling and Procedure.** IDCs are conducted via telephone conference on Tuesdays and Thursdays, and are generally held at 11:30 a.m. Counsel is to first initiate a telephone conference between themselves, then conference call in the Court.
 - b. **IDC Discovery Briefs.** At least two (2) days prior to the IDC, Counsel may e-file a short IDC brief (not to exceed 7 pages) summarizing the issues to be addressed.
 - c. **Supplemental Discovery Briefs.** At least five (5) court days prior to a scheduled discovery motion hearing date, moving party shall e-file a supplemental brief identifying for the Court the specific discovery issues that remain subsequent to the IDC.

VI. FINAL STATUS CONFERENCES

1. **Standing Order.** Counsel and parties are expected to follow and comply with the Court’s “Standing Order: Dept M re Final Status Conference - Trial Preparation Order” (“Standing Order”), which will be included in the minute order at the time the initial trial date is set. (See attached Standing Order.) Failure to comply with the Standing Order may result in sanctions and a delay in trial. (Note: Bench trials do not require submission of jury instructions, however, all applicable CACI instructions must be submitted, together with special verdict forms that the Court may use in crafting a decision.)
2. **Time of Hearing.** Generally, FSCs are scheduled on Tuesdays in Dept M at 10:30 a.m., at the end of the Court’s morning calendar.
3. **Pretrial Motions.** Pretrial motions (e.g., motions in limine, bifurcation, etc.) are generally ruled upon on the first day of trial and not at the FSC.
4. **Trial Dates and Time.** At the FSC, the Court will confirm the trial start date, time estimate, and the dates and time trial will be in session. (See below, Section VII, Trials, for further information.)
5. **Standing Order Exception.** If at least five (5) days prior to the FSC, counsel and parties stipulate to participate in a voluntary settlement conference (VSC) with the Court, mandatory compliance with the Court’s Standing Order will be held in abeyance pending completion of the VSC. VSCs must be completed on or before the date scheduled for trial unless otherwise extended by the Court. (See below, Section VIII, SW District Settlement Program, for further information.)

VII. TRIALS

1. **Dept M Trial Schedule.** *Jury trials* and *bench trials* are generally scheduled to begin on Tuesdays at 10:30 a.m. Thereafter, depending on the Court’s morning calendar, jury trials are generally in session Mondays through Thursdays from 10:30 a.m. to 12:00 p.m., and 1:30 p.m. to 4:30 p.m.
2. **PI Hub Court “Complicated” Cases.** Personal injury (PI) cases previously transferred to Dept M from the PI Hub Courts for work-up because the case was deemed “complicated” are subject to be transferred back to Department 1 for trial assignment on the date scheduled for trial, unless otherwise indicated by the Court at the FSC.

VIII. SOUTHWEST DISTRICT SETTLEMENT PROGRAM

The SW District recognizes that litigation is stressful, time consuming, burdensome, intrusive, and costly. Most litigants inevitably realize positional outcomes cannot be assured, regardless of whether their case is tried before a jury or court. Settlement conferences afford counsel and parties the unique opportunity to engage the Court's assistance in settlement discussions. Settlement conferences are confidential, effective, conserve resources, and provide a valuable opportunity to control and define positional case outcomes.

Settlement conferences are available on a **voluntary** and **mandatory** basis and are conducted *in person or remotely*, unless otherwise instructed by the Court.

1. Dept M - Voluntary Settlement Conferences (VSC)

- a. **Pretrial.** Dept M conducts voluntary settlement conferences, at any pre-trial stage, on *Fridays* from 9:30 a.m. to 4:30 p.m., and *Mondays* from 11:30 a.m. to 4:30 p.m. VSCs may be attended *in person or remotely*.
- b. **Final Status Conference / Trial.** Dept M conducts voluntary settlement conferences on the date of the final status conference or trial date, which are conducted on *Tuesdays* from 10:30 a.m. to 4:30 p.m. Counsel must contact Dept M at least five (5) court days prior to the FSC to schedule a VSC on the date of the FSC or trial date. Pending completion of the VSC, counsel/parties may postpone filing their trial documents in compliance with the Court's Standing Order re Trial Preparation Order. (See, Section VI above.)
- c. **Stipulation Form.** Counsel/Parties must stipulate to participate in a VSC with Judge Tanaka. Dept M will provide the stipulation form to be signed by counsel/parties.

2. Dept M - Mandatory Settlement Conferences (MSC)

Dept M also conducts mandatory settlement conferences for cases assigned to other IC Courts within the Southwest District. The MSC must be ordered by the other IC Court.

3. Settlement Conferences with Other Southwest District Civil Bench Officers

If counsel/parties would like to participate in a settlement conference with a civil bench officer in the Southwest District other than Judge Tanaka, Dept M will confirm the bench officer's availability to schedule the settlement conference.

4. LASC Alternative Dispute Resolution Programs Civil Unlimited

The Los Angeles Superior Court Alternative Dispute Resolution Office oversees scheduling of court ordered MSCs with three private organizations, as follows:

a. Mediation Center of Los Angeles (MCLA). Requires Court “Referral.”

MCLA is a non-profit organization that offers private mediation services at a low fixed cost. The mediation format is virtual. MCLA charges a \$150 registration fee per party and sets its hourly rate at \$300 per hour (which is divided equally between the parties). MCLA mediates every type of civil dispute and requires a minimum of three (3) hours. Allow 90-150 days to schedule a mediation. MCLA requires a *court referral order* for acceptance into the program.

b. Resolve Law Los Angeles (RLLA). Requires Court Minute Order for “MSC.”

RLLA is a private organization established by various LA County bar associations. Lawyers from different bar associations volunteer their time for free up to three (3) hours to mediate (1) personal injury cases and (2) non-complex employment cases. The mediation format is virtual. Allow 60-90 days to schedule an MSC. RLLA requires an *MSC court order* for acceptance into the program.

c. Mediators Volunteer Panel (MVP). Requires Court “Referral.”

MVP consists of a panel of court-connected volunteer mediators. Mediator profiles are listed on LASC’s website at www.lacourt.org/ADR. There is no charge for the mediator’s preparation time and the first three (3) hours of mediation. If additional time is needed, the mediator may charge the hourly rate listed in their profile. The mediation format is virtual. All at least 90 days to schedule a mediation. MVP requires a *court referral order* for acceptance into the program.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES, SOUTHWEST DISTRICT
(TORRANCE COURTHOUSE)

_____,

Plaintiff(s),

vs.

_____,

Defendant(s).

Case No. _____

STANDING ORDER RE: DEPT M

**FINAL STATUS CONFERENCE -
TRIAL PREPARATION ORDER**

The Final Status Conference and Trial Date having been set in this matter,

THE COURT HEREBY ORDERS, AS FOLLOWS:

1. PURPOSE OF FSC

The purpose of the final status conference (FSC) is to verify that counsel and any self-represented parties are completely ready to proceed with the trial continuously and efficiently, from day to day, until verdict.

2. MEET AND CONFER

Counsel and any self-represented parties are ordered to meet and confer prior to the FSC to exchange, discuss, and prepare for submission to the Court, at least five (5) court days in advance of the FSC, a joint trial binder(s) and joint trial exhibit binder(s). The Court will verify at the FSC that all parties/counsel have met and conferred to prepare joint trial documents.

Counsel and any self-represented parties shall also meet and confer prior to the FSC to try and reasonably stipulate to a joint statement of the case, motions in limine, legal issues, authentication/foundation/admissibility of exhibits, witnesses, witness time estimates, jury instructions, and verdict forms. Parties shall be prepared to provide the Court with reasonable and accurate time estimates for trial as prescribed under Local Rule 3.25(h).

3. TRIAL DOCUMENTS

Unless otherwise specified, at least 5 calendar days prior to the FSC, the parties/counsel shall exchange and serve the following trial documents:

a. Trial briefs: Each party/counsel shall file a trial brief not to exceed 10 pages in length succinctly identifying: 1. The claims and defenses subject to litigation; 2. The major legal issues (with supporting points and authorities); 3. The relief claimed, and calculation of damages sought; 4. Any other information that may assist the court at trial.

b. Motions in Limine: Motions in limine are to be noticed with due statutory notice for the date of the FSC. Before filing motions in limine, the parties/counsel shall comply with the statutory notice provisions of Code of Civil Procedure section 1005 and be accompanied by the required declaration prescribed under Local Rule 3.57(a). The caption of each 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. Separate the motion, any

corresponding opposition, any corresponding reply, and any proposed order with colored paper or numbered tabs. Motions in limine will not be heard until the day of trial.

c. Joint Statement of Case: For *jury trials*, the parties/counsel shall work together to prepare and file a joint written statement of the case for the Court to read to the jury.

d. Joint Witness List: The parties/counsel shall work together to prepare and file a joint list of all witnesses in alphabetical order by last name that each party intends to call (excluding impeachment and rebuttal witnesses). The joint witness list shall identify each witness by name, specify which witnesses are experts, and estimate the length of direct examination, cross examination, and re-direct examination (if any) of each witness. The parties/counsel shall identify all potential witness scheduling issues and special requirements. The list must be signed by each counsel or non-represented litigant with the understanding that the parties can expect to be held to the estimates in accordance with Local Rule 3.25(h).

e. List of Proposed Jury Instructions (Joint and Contested): For *jury trials*, the parties/counsel shall jointly prepare and file a list of proposed jury instructions, organized in numerical order, specifying the instructions upon which all sides agree and the contested instructions, if any. The list of proposed jury instructions must include a space by each instruction for the judge to indicate whether the instruction was given.

f. Jury Instructions (Joint and Contested): For *jury trials*, the parties/counsel shall prepare a complete set of full text proposed jury instructions, editing all proposed California Civil Jury Instructions (CACI) and insert party name(s) and eliminate blanks and irrelevant materials. The parties/counsel shall prepare special instructions in a format ready for submission to the jury with the instruction number, and text only (i.e. there should be no boxes or other indication on the printed instruction itself as to the requesting party). Parties/counsel should also be prepared with an electronic flash drive containing the proposed jury instructions at the time of trial for modifications as needed. For *bench trials*, the parties/counsel need only submit the pertinent CACI instructions relating to each cause of action and affirmative defense.

g. Joint Special Verdict Form(s): For both jury and bench trials, the parties/counsel shall prepare and jointly file a proposed special verdict form acceptable to all sides. If the parties/counsel cannot agree on a joint special verdict form, each party must separately file a proposed verdict form. Verdict forms are required even though the parties may waive jury.

h. Joint Exhibit List: The parties/counsel shall prepare and file a joint exhibit list organized with columns identifying each exhibit and specifying each party's evidentiary objections, if any, to admission of each exhibit. The parties/counsel shall meet and confer in an effort to resolve objections to the authenticity/foundation/admissibility of each exhibit. Exhibits must be bated stamped and tabbed with exhibit numbers that correspond to those on the joint exhibit list.

i. Page and Line Designation for Deposition and Former Testimony: If the parties/counsel intend to use deposition testimony or former trial testimony in lieu of any witnesses live testimony, the parties/counsel shall meet and confer and jointly prepare and file a chart with columns for each of the following: (1) The line and page designation of the deposition or former testimony requested for use, (2) Objections, (3) Counter designations, (4) Any responses, and (5) Court ruling.

j. Proposed Voir Dire Questions: If there are unique issues a party wishes to have the Court task, a short list of questions may be proposed. (The Court initially conducts voir dire, followed by parties/counsel.)

4. TRIAL BINDERS (REQUIRED)

The parties/counsel shall jointly prepare and lodge with the Court at the FSC, a trial binder containing the above described trial documents, which shall be tabbed and organized into three-ring binders with a table of contents, as noted below and in the following order:

Tab A: Trial Briefs.

Tab B: Motions in Limine, Oppositions, and Replies.

Tab C: Joint Statement of Case (for jury trials only).

Tab D: Joint Witness List with Time Estimates.

Tab E: Joint Exhibit List.

Tab F: Proposed Jury Instructions List (for jury trials only).

Tab G: Joint and Contested Jury Instructions.

Tab H: Joint and/or Contested Special Verdict Form(s).

Tab I: Joint Chart of Page and Line Designations for Deposition and Former Testimony.

Tab J: Copies of Operative Pleadings (Complaint, Answer, Cross-Complaint, Answer).

5. TRIAL EXHIBIT BINDERS (REQUIRED)

Three sets of trial exhibit binders must be submitted to the Court at the time of trial (i.e., set for the trial court, clerk, and witnesses). Exhibit binders must be tabbed, internally paginated by document, and properly marked and identified as trial exhibits, organized numerically in three-ring binders. The parties/counsel shall mark all non-documentary exhibits and insert a simple written description of the exhibit with a corresponding numerical tab in the exhibit binder. The parties/counsel shall have a joint signed exhibit list and electronic copies of their respective exhibits at the FSC, then the parties/counsel will not be required to produce exhibit binders at the FSC. However, hard copy exhibit binders are required to be in the courtroom on the day trial commences. Original deposition transcripts are to be lodged with the clerk on the first day of trial.

6. PERSONAL INJURY HUB CASES AND LONG CAUSE CASES

All Personal Injury (PI) Hub Court cases must comply with the standing orders of the PI Hub, including but not limited to: (1) FSC Standing Orders and (2) Mandatory Settlement Conference Orders. Cases with estimates of over 20 days must complete Department 1's Long Cause packet. Counsel and parties are ordered to contact the PI Hub and/or Department 1 for the most current orders. Counsel and parties must comply with the specific requests of the PI Hub Court and Department 1's Long Cause orders which shall take precedence over Department M's orders to the extent that they differ.

7. FAILURE TO COMPLY WITH FSC OBLIGATIONS

The Court has discretion to require any party/counsel who fails or refuses to comply with this Standing Order to show cause why the court should not impose sanctions, including, but not limited to, monetary, evidentiary, and/or issue sanctions.

Dated: _____

GARY Y. TANAKA
Judge of the Superior Court