
Welcome to DEPARTMENT P NORWALK COURTHOUSE

Judge: Hon. Ann H. Park

Judicial Assistant: Angel Slocum

Courtroom Assistant: Teresa Banuelos

Location: 12720 Norwalk Blvd., Fifth Floor, Norwalk, CA 90650

Telephone Number: 562-345-3727

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Hours: Monday to Friday 8:30 am to 12:00 pm & 1:30 pm to 4:30 pm

GENERAL INFORMATION

Department P is an individual direct calendar (IC) court. Parties and counsel should review the provisions of the California Code of Civil Procedure (CCP), the California Rules of Court (CRC), and the Los Angeles County Court Rules, Chapter Three, Civil Division Rules [“Local Rules”] that apply to unlimited civil actions in IC courts.

Guidelines for Civility in Litigation: Counsel are expected to know and adhere to the guidelines articulated in Appendix 3.A of the Los Angeles County Court Rules.

Remote Appearances: Remote appearances are permitted except for final status conferences and trials unless otherwise directed by the Court. Parties shall arrange telephonic or video appearances via LACourtConnect. Counsel appearing remotely must appear by video. Telephonic appearances by counsel are NOT allowed unless counsel has prior approval from the court. A violation of this order could result in the court mandating in-person appearances for all proceedings.

Counsel and parties making remote appearances are expected to follow the same rules and decorum as if they were appearing in person in the courtroom. The Court does not permit remote appearance from locations with excessive background noise or from moving vehicles.

Self-represented Litigants: The Court’s commitment to fairness and justice extends to all litigants, including those who represent themselves rather than hiring an attorney. Self-represented litigants are expected to comply with the rules of civil procedure, evidence, and decorum. For assistance from the Clerk’s Office, please

call the Court Support Services number at 562-345-3700. For Self-Help services, call the Self-Help Center at 213-830-0845 or go to the Superior Court of Los Angeles County website on Self-Help at <https://www.lacourt.org/selfhelp/selfhelp.aspx>.

Court Reporters: Proceedings in unlimited jurisdiction courts are not electronically recorded. If you want a court reporter, you must provide one. A party who has received a fee waiver pursuant to CRC 3.55(7) may request an official court reporter by filing form FW-020 <https://selfhelp.courts.ca.gov/jcc-form/FW-020> before the hearing or trial (See CRC 2.956(c)). Given the limited availability of official court reporters, the Court may not know whether a reporter is available until the day of the hearing or trial.

Proceedings in limited jurisdiction residential unlawful detainer and limited civil cases are electronically recorded by the Court unless a party arranges and pays for a court reporter under Local Rule 2.21(e).

Interpreters: Only court-certified or registered interpreters can assist limited English proficiency litigants (Govt. Code § 68561). Attorneys and parties must follow the Guidelines for Effective Use of Court Interpreters. A list of court-certified and registered interpreters is available at <https://languageaccess.courts.ca.gov/court-interpreters-resources/search-interpreter>. Court-certified language interpreters may be provided, if arranged in advance, to limited English speaking litigants free of charge. However, resources are limited, and the Court cannot guarantee that one will be available. Please make the request at the court's website at <http://www.lacourt.org/irud/UI/ReqInput.aspx> or inform the Judicial Assistant as soon as possible.

Accessibility and Accommodation: If you need an accommodation, please inform the courtroom staff in advance so that we can attempt to facilitate your request. Requests may be made using [form MC-410](#), see <https://www.lacourt.org/ada/adahome.aspx>, or any other written format.

CASE MANAGEMENT CONFERENCE (CMC)

The Court's goal is to help the parties obtain a fair, timely, and efficient resolution of their cases. Effective case management, in turn, requires counsel to communicate with each other and the Court, and to work cooperatively to advance the case. The Court applies the case management rules set forth in CRC Rules 3.700 et seq. and SCLAC Rules 3.24 to 3.25.

Counsel attending the CMC must be knowledgeable about the case and be prepared to discuss all the issues set forth in CRC Rule 3.727. *Trial counsel* are *required* to meet and confer in person, via videoconference, or by telephone no later than 15 calendar days before the date set for the initial and any succeeding CMC to consider each of the issues identified in CRC Rules 3.724 and 3.727.

Case Management Statements must be filed at least seven (7) calendar days before the date scheduled for the case management conference (CMC).

LAW & MOTION

The Court hears moderate to complex motions on Tuesdays and Thursdays, and routine motions on Fridays. Parties must reserve a date for all law and motion hearings via the Court Reservation System (CRS). Parties must use CRS to continue or withdraw motions and inform the courtroom of the change.

Pursuant to Code of Civil Procedure §1010.6, local Rule 3.4, and General Order 2019-GEN-014-00 issued May 3, 2019, the Court orders all parties who use e-filing to accept electronic service, except in those circumstances when personal service is required by law or where any of the parties are self-represented.

The Court prepares tentative rulings in most law and motion matters. Tentative rulings are posted online in the afternoon before the hearing and are available on the day of the hearing. Please be aware that once the Tentative ruling is posted, the Court is unlikely to process a request for voluntary dismissal prior to a final ruling (See *Groth Bros. Oldsmobile, Inc. v. Gallagher* (2002) 97 Cal.App.4th 60, 73).

Counsel who intend to submit on the tentative may call the courtroom or send an email to the Judicial Assistant by 8:00 a.m. the day of the hearing. The email must include the case number and identify the party submitting on the tentative with a copy (cc) to opposing counsel. **IF ALL** counsel submit, the Court will adopt the tentative as the final order. Otherwise, the court will call the matter, and since the ruling is only a Tentative Ruling, the court is free to change the ruling. If the Court does not receive a call/ email indicating all parties are submitting on the tentative and there are no appearances at the hearing, the motion may be placed off calendar.

Informal Discovery Conferences

All civil actions filed after January 1, 2024, are subject to the initial discovery disclosures requirements of CCP § 2016.090.¹ The Court may enforce the requirements of section 2016.090 on its own motion or on the motion of a party.

The Court strongly discourages discovery motions and encourages informal resolution of discovery disputes. *Trial counsel must meet and confer in person, by telephone, or videoconference to resolve or narrow the discovery dispute.* Merely exchanging letters or emails is insufficient. The Court expects the parties to work together in good faith to resolve discovery issues.

¹This section does not apply to any party who is self-represented.

If the dispute remains unresolved, counsel may request an Informal Discovery Conference (IDC) by filing an IDC request [LACIV094] See <https://www.lacourt.org/forms/pdf/LACIV094.pdf>. The court will review the request and issue an order granting or denying the request. If granted, the clerk will schedule an IDC. The IDC should eliminate any need for a motion. Absent a showing of good cause, the Court may continue any discovery motion filed before the IDC process is concluded. California Code of Civil Procedure § 2016.080 has been **repealed**, therefore, the scheduling of an IDC does not toll the deadline for filing a discovery motion unless the parties stipulate to toll deadlines. See <https://www.lacourt.org/forms/pdf/LACIV036.pdf>.

At least five court days before the IDC, the moving party must file and serve a memorandum no longer than three pages setting forth the outstanding issues. The first paragraph shall be formatted as follows: (1) a neutral statement of the dispute; and (2) one to three sentences describing (not arguing) each party's position. The responding party may file and serve a responsive memorandum of no more than three pages at least two court days prior to the IDC. The responding party may file and serve a responsive memorandum of no more than three pages at least two court days prior to the IDC.

In the event a discovery motion is heard, the Court recommends that trial counsel make the appearance to argue it. Counsel should be fully prepared to negotiate a resolution to the dispute that is the subject of the motion and to discuss a detailed schedule of all further discovery.

Ex Parte Applications

Ex parte applications are heard each day at the end of the morning calendar. Absent an exemption, you must file the application by 10:00 am on the court day prior to the ex parte hearing. Ex parte applications must comply with CRC 3.1200 *et seq.*

All ex parte applications and documents in support thereof must be electronically filed no later than 10:00 a.m. on the court day before the hearing. Any written opposition shall be electronically filed by 8:30 am on the day of the hearing. Pursuant to California Rules of Court, rule 2.253(b)(2), self-represented litigants are exempt from these mandatory Electronic Filing requirements.

PLEASE CAREFULLY REVIEW WHETHER YOU HAVE A PROPER BASIS TO SEEK EX PARTE RELIEF. There must be an affirmative showing of "irreparable harm, immediate danger, or any other statutory basis for granting relief ex parte." (See Cal. Rules of Court, rule 3.1202 (c).) You will need to demonstrate to the court the reason(s) why you cannot seek the requested relief by other means, such as a noticed motion or continuance of the trial.

Pursuant to General Order 2020-GEN-018-00 and Code of Civil Procedure § 166(a)(1), the court may rule from chambers and may not necessarily hear oral argument for an ex parte application for relief.

NOTICE OF SETTLEMENT / REQUEST FOR DISMISSAL

Notice of Settlement must be eFiled by the plaintiff using Judicial Council Form CM-200, even if the case is settled at a Judicial mandatory settlement conference. Once the Notice of Settlement of the entire case is eFiled, all future appearances will be taken off calendar and an OSC re: Dismissal will be scheduled approximately forty-five (45) days from the filing date. If trial binders were lodged prior to settlement, they must be picked up within two weeks of filing the Notice of Settlement or they will be discarded. Refer to CRC 3.1385 for duties upon settlement.

SETTLEMENT CONFERENCES / SETTLEMENT PROGRAMS

The Superior Court of Los Angeles County has a variety of settlement programs. Litigants should closely review the requirements for each program and the types of cases served.

Civil Mediation Vendor Resource List: Litigants may use the Civil Mediation Vendor Resource List to arrange voluntary mediations without Court referral or involvement. The Resource List includes organizations that have been selected through a formal process that have agreed to provide a limited number of low-cost or no-cost mediation sessions with attorney mediators or retired judges. Organizations may accept or decline cases at their discretion. Mediations are scheduled directly with these organizations and are most often conducted through videoconferencing. The organizations on the Resource List target active civil cases valued between \$50,000-\$250,000, though cases outside this range may be considered. For more information and to view the list of vendors, download the Resource List Flyer and FAQ Sheet at www.lacourt.org/ADR/programs.html.

Mediation Volunteer Panel (MVP): Cases referred to the Court's Mediation Volunteer Panel (MVP) are eligible for three hours of virtual mediation at no cost with a qualified mediator from the MVP. Through this program, mediators volunteer preparation time and three hours of mediation at no charge. If the parties agree to continue the mediation after three hours, the mediator may charge their market hourly rate. When a case is referred to the MVP, the Court's ADR Office will provide information and instructions to the parties. The Notice directs parties to meet and confer to select a mediator from the MVP or they may request that the ADR Office assign them a mediator. The assigned MVP mediator will coordinate the mediation with the parties. For more information or to view MVP mediator profiles, visit the Court's ADR webpage at www.lacourt.org/ADR or email ADRCivil@lacourt.ca.gov.

Mediation Center of Los Angeles (MCLA) Referral Program: The Court may refer cases to low-cost mediation through a formal contract with the Mediation Center of Los Angeles (MCLA), a nonprofit organization that manages a panel of highly qualified mediators. The Court's ADR Office will provide the parties with information for submitting the case intake form for this program. MCLA will assign a mediator based on the type of case presented and the availability of the mediator to complete the mediation in an appropriate time frame. MCLA has a designated fee schedule for this program. For more information, contact the Court's ADR Office at ADRCivil@lacourt.ca.gov.

Resolve Law LA (RLLA) Virtual Mandatory Settlement Conference: RLLA provides three-hour virtual Mandatory Settlement Conferences (MSC) at no cost for personal injury and non-complex employment cases. Cases must be ordered into the program by a judge pursuant to applicable Standing Orders issued by the Court and must complete the program's online registration process. The program leverages the talent of attorney mediators with at least 10 years of litigation experience who volunteer as settlement officers. Each MSC includes two settlement officers, one each from the plaintiff and defense bars. For more information, visit <https://resolvelawla.com>.

The court is also willing to personally conduct voluntary settlement conferences. Please contact the courtroom assistant to arrange a conference. Contact Mrs. Slocum to obtain and execute a Stipulation for settlement conferences conducted by the trial judge.

TRIAL PROCEDURES

Court Reporters and Settled Statements: The Court strongly encourages the parties to retain a court reporter for trials. If no court reporter is used, the parties must jointly prepare a summary of the day's proceedings and lodge it in the courtroom the next morning before proceedings resume.

Final Status Conference (FSC): FSC's generally are held seven to ten days before trial. Lead trial counsel must *personally* appear, unless previously excused by the Court. (SCLAC Rule 3.25 (f)(2).) The Court requires trial counsel to meet in person, via videoconference, or telephone well before the FSC concerning the submission of joint trial readiness documents. (SCLAC Rule 3.25 (g).) The parties must provide *both* a paper "trial notebook" for the Court and submit FSC/trial documents electronically.

The following FSC documents must be provided to the Court prior to the FSC:

1. MOTIONS *IN LIMINE* AND BIFURCATION MOTIONS must have been filed and served with proper statutory notice and set for hearing on the FSC

date. SCLAC Rule 3.25 (f)(2). In compliance with SCLAC Rule 3.57, all motions in limine must be accompanied by a sworn declaration attesting that the subject of the motion has been discussed with the opposing party, setting forth the opposing party's position regarding the motions, and must be submitted with timely statutory notice so the motion in limine can be heard at the FSC. Motions *in limine* may be heard at the FSC unless the Court orders otherwise.

2. TRIAL BRIEFS for each party are highly recommended in all cases, whether bench or jury trial.
3. JOINT STATEMENT OF THE CASE (which will be read by the Court to the prospective jurors). Counsel should be prepared to discuss whether they are agreeable to mini-opening statements to be given by counsel to the prospective jurors.
4. JOINT EXHIBIT LIST AND EXHIBITS. *The parties shall work together to provide exhibits electronically, if feasible.* Each exhibit must be separately numbered, with the numbers corresponding to the number of the exhibit on the joint exhibit list. If an exhibit contains more than one page, the pages must be internally numbered, *i.e.*, 3.1, 3.2, 3.3 etc. Counsel may publish exhibits to the jury only after they have been admitted in evidence. If counsel agree that an exhibit or exhibits will be admitted without objection, counsel may publish the agreed-upon exhibit(s) to the jury during opening statement.
5. JOINT WITNESS LIST AND TRIAL SCHEDULE. The parties must submit a joint list of all witnesses each party *actually* intends to call. Next to each witness, indicate the total time estimated for that witness's testimony (including direct, cross, and redirect). Make realistic time estimates. At the end of the list, total the time estimated for testimony. Absent good cause, the total number of hours listed for testimony shall not exceed the trial estimate given at the case management conference, including the allocation of one day of the trial estimate for jury selection and sufficient time for opening statements and closing arguments. The parties shall discuss with the Court at the final status conference which witnesses will appear in person, and which will appear by video.
The Court will consider imposing time limits in appropriate cases.
6. PROPOSED JURY INSTRUCTIONS. The parties are to submit a joint set of instructions, plus a set of instructions from each side to which there are objections. The parties shall provide the full text of all requested instructions (not just a list). Before submitting the instructions, counsel must fill in the blanks, make appropriate modifications, and comply with SCLAC 3.170 to 3.171. Use CACI for form instructions. Leave at least four inches of blank

space at the top of every page of any proposed special jury instructions, or any addenda to form instructions. Citation of authority and identity of the party requesting the instruction will be removed after the jury instruction conference and before submission to the jury for deliberation. The Court generally instructs the jury before closing argument. The Court will consider requests by counsel to instruct the jury prior to opening statements on the elements of the causes of action.

7. PROPOSED VERDICT AND SPECIAL INTERROGATORY FORMS. The parties are to meet and confer in advance and then file proposed general or special verdict forms. Use CACI model verdict forms where applicable. The Court discourages submission of competing proposed verdict forms.
8. EXPERTS. As to experts that counsel intends to call at trial, no later than the FSC, Counsel shall present to the Court and opposing counsel a copy of the Code of Civil Procedure section 2034.260 declaration that states the substance of the proffered opinion. Any party responding to a *Kennemur v. State of California* (1982) 133 Cal.App.3d 907 objection at trial must be prepared to have the page and line marked in any deposition testimony and any attorney communication demonstrating that the objecting party had reasonable advance notice of any opinion that departs from the prior notice.

Effective May 27, 2025.

Addendum to Case Management Conference Order (Song-Beverly Litigation)

Discovery

1. General Orders:

a. 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 defenses raised in the Answer.

b. 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.

c. Discovery beyond that enumerated in sections 2-6 below is STAYED pursuant to CCP §2019.020(b) as well as CRC Rule 3.727 and the Court's inherent authority to actively manage cases. To the extent any party concludes that additional discovery is necessary beyond sections 2-6, that party shall by noticed motion request such discovery. In advance of any such request, the parties are ordered to meet and confer regarding any additional discovery needed to prepare this case for trial. Any motion seeking to commence any additional discovery beyond sections 2-6 shall specifically identify the contemplated additional discovery and shall include a statement of the parties' respective positions regarding the same.

d. 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 30 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 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 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 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 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 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 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 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 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 a 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. Requests for Admission: Within the time limits allowed by law, both plaintiff and defendant may propound one set of a maximum of 35 requests for admission. Any additional requests for admission may only be propounded by stipulation and/or court order.

5. Depositions: Within the time limits allowed by law:

a. Defendant may depose Plaintiff;

b. Plaintiff may depose Defendant's person most knowledgeable (PMK), plus a deposition of the PMK as to why the subject vehicle was not repurchased. The Court initially limits matters for examination to 10 categories. No documents beyond those authorized herein shall be requested as part of any non-expert deposition.

c. Parties may depose experts identified in an expert witness list exchanged pursuant to CCP §2034.210 et seq.

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

e. 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).

6. 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 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.

Notice of this Addendum has or shall be provided to the parties' respective attorneys at the Case Management Conference.

IT IS SO ORDERED.

Dated: _____

Ann H. Park

Judge of the Superior Court