

DEPARTMENT F51
COURTROOM INFORMATION
www.LACOURT.ORG

The Court's goal is to help the parties obtain a fair, timely and efficient resolution of their cases. The Court requires civility and adherence to proper decorum.

Judge: Andrew E. Cooper **Judicial Assistant:** Paula Terrazas **Courtroom Assistant:** Francine Rodriguez

Court Address: 9425 Penfield Avenue, Chatsworth, CA 91311 **Telephone Number:** (818) 407-2251

Courtroom Hours: 8:30 a.m. to 4:30 p.m. (Lunch Break 12:00 p.m.-1:30 p.m.)

Trial Hours: 10:30 a.m. to 4:00 p.m. (Lunch Break 12:00 p.m.-1:30 p.m.) Monday-Friday

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

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

Be on time and be prepared.

COURT REPORTERS: If you require a court reporter, you must provide your own. The following forms must be filed in the courtroom prior to the judge calling your case:

Form LACIV237, if the court reporter is listed on the court's Pro Tempore Court Reporter Directory; or,
Form LACIV236, if the court reporter is not listed on said directory. Please follow the links on the court's website: **General Information-Court Resources-Court Reporters.**
Reporters at trial should provide *Real Time* connections.

FILINGS BY REPRESENTED LITIGANTS: Represented litigants are required to electronically file all documents with the Court through the approved Electronic Filing Service Provider.

FILINGS BY SELF-REPRESENTED LITIGANTS: Self-represented litigants are exempt from mandatory electronic filing requirements. All papers filed by self-represented litigants must be stapled separately before filing, or they will be rejected. Judgments, orders, and stipulations may be filed directly in the courtroom but must include self-addressed, stamped envelopes and copies to conform.

MOTIONS: All motions to be heard in Dept. F51 are to be reserved through the Court Reservation System (CRS). Follow the links on the court's website: Online Services-Court Reservation System (CRS).

Motions are heard Monday through Friday and are set for hearing at 8:30 a.m. The Court may issue a tentative ruling after 3:00 p.m. the day before the hearing. **The attorneys/self-represented litigants may submit on the tentative ruling by contacting the Judicial Assistant, and, if both parties agree to submit, then the tentative will become the Court's order, and no appearance at the hearing is necessary.**

DEMURRERS: Well over 30,000 demurrers are filed each year in the Los Angeles County Superior Court. That number is far too high. Demurrers are rarely granted without leave to amend and typically accomplish little if anything that could not be obtained by stipulation, other than causing the other side to think more carefully about the case and be better prepared for trial. Counsel intending to file a demurrer should review the new requirements, including meet and confer requirements, set forth in Code of Civil Procedure section 430.41, and rethink whether a demurrer is

necessary or even advisable. Demurrers filed without compliance with the meet and confer requirements will be taken off calendar.

Courtesy copies: Please deliver courtesy copies directly to Department F51.

DISCOVERY MOTIONS: The Court strongly **discourages** discovery motions and requires the parties to exhaust meet and confer efforts before filing discovery motions. **“Meet and confer” in Department 51 means *in person* or via phone. A letter or email does not suffice.**

LACourtConnect: Appearances through LACourtConnect are allowed for all hearings **except trials/prove-ups, final status conferences and settlement conferences.** (**See below for *ex parte* hearing requirements). **No prior court approval is necessary.** To schedule an appearance through LACourtConnect, please visit [LACourt.org](https://lacourt.org), then go to “Here For You/Safe For You” and in the “Attorney Portal” you may set up an account then schedule your remote appearance.

EX PARTE APPLICATIONS: *Ex parte* applications are heard Monday through Friday at 8:30 a.m. No reservation is needed. *Ex Parte* applications, supporting documents, and a proposed order must be electronically filed no later than 10:00 a.m. the court day before the *ex parte* hearing. Written oppositions shall be electronically filed by 8:30 a.m. the day of the *ex parte* hearing. Self-represented parties must either electronically file by 10:00 a.m. the day before the *ex parte* hearing or personally bring the *ex parte* hearing, declaration of notice, and a proposed order to the Clerk’s Office for payment of the fee by 8:30 a.m. on the day of the hearing and proceed immediately to the courtroom with the *ex parte* application, declaration of notice, a proposed order, and proof of payment. If the Self-represented party timely files the required *ex parte* documents electronically, then he or she may appear at the hearing through LACourtConnect. Oppositions by self-represented parties, if any, shall either be filed electronically by no later than 8:30 a.m. on the day of the hearing or be brought to the courtroom on the day of the *ex parte* hearing. If a self-represented party elects to bring in his or her opposition to the Court on the day of the hearing, he or she shall bring a sufficient number of copies of the opposition to provide to the court and all other parties. Please note that the Court may not consider *ex parte* applications submitted/filed without a proposed order.

TRIALS: The Court sets trial dates at the Case Management Conference once the case is at issue. Unless the Court is dark/closed, all trials are set on Mondays, and all Final Status Conferences are set on Fridays, 10 calendar days before the trial date.

Department F51 follows the local rules for trial. Motions in Limine are heard on the first day of the trial. All trial documents filed by represented parties must be electronically filed pursuant to the Final Status Conference Order (except for exhibits). Additionally, a printed courtesy copy of all verdict forms and jury instructions shall be filed directly in Department F51 at the time of the electronic filing. All trial documents filed by self-represented litigants must be filed directly in Department F51 pursuant to the Court’s Final Status Conference Order.

MANDATORY SETTLEMENT CONFERENCE: All parties (counsel and clients) are ordered to appear in person. Mandatory settlement briefs must be filed directly in the Courtroom at least **5-days** prior to the MSC.

CONTINUANCES: All hearing dates, including trial dates, may be considered for a continuance by written Stipulation and Order. Said Stipulation and Order shall state the date the Complaint was filed, the current trial date, as well as the proposed Final Status Conference date and proposed trial date. If there is no stipulation, the parties may seek a continuance by noticed motion or an *ex parte* application.

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
NORTH VALLEY DISTRICT, CHATSWORTH BRANCH
JUDGE ANDREW E. COOPER
DEPT. F51**

FINAL STATUS CONFERENCE (FSC) ORDER

All lawyers are expected to act with the highest standards of civility and respect the time of each other, the Court and the jurors. The Court and staff are committed to ensuring a fair and efficient trial in each case.

In person appearance at the FSC is mandatory.

The purpose of the FSC is to verify that the parties/counsel are completely ready to proceed with trial on the scheduled date, continuously and efficiently, from day to day, until verdict. The Court issues the following orders pertaining to the FSC as follows:

1. **All parties shall meet and confer and/or exchange information at least fifteen (15) court days before the FSC as required by this order and *Los Angeles County Court Rules, Rule 3.25(g)*.** Any failure to timely comply with any item required by this order shall subject any such non-complying party to the imposition of appropriate sanctions, including but not limited to monetary, exclusion of evidence, issue preclusion, denial of a claim or defense, dismissal, or contempt (pursuant to *CCP* §§128.5, 177.5, 575.5 and 583.410; *Government Code* §68608, *CRC* Rule 526).
2. If the action is settled or otherwise resolved before the FSC, no appearance will be necessary as long as either a Request for Dismissal of the entire action or a Notice of Settlement under *California Rules of Court* Rule 3.1385 is electronically filed with this Court at least two (2) court days before the scheduled FSC. If a party is exempt from the electronic filing requirements, that party shall file and serve a printed copy of the Request for Dismissal or Notice of Settlement at least two (2) court days before the scheduled FSC. The parties are also requested to notify the Clerk of this Court immediately by phone [(818) 407-2233] upon settlement or resolution of the action.

3. **GENERAL DECORUM**

The Court will not tolerate incivility in any form. Arguments or personality conflicts between counsel shall be resolved outside of the Courthouse. “Persons in the courtroom, including the parties and counsel, must not indicate by facial expression, shaking of the head, gesturing, shouts or other conduct their disagreement with or approval of testimony or other evidence. Counsel must so instruct parties they represent, witnesses they call, and any persons accompanying them.” LASC Rule 3.120.

4. **COURT TRIALS:**

For all Court trials, the following documents shall be filed electronically at least ten (10) calendar days before the FSC. Exempt parties may file the following documents either electronically or by conventional means (i.e., printed copies on paper) at least ten (10) calendar days before the FSC.

- a. Motions in Limine (if any),
- b. Trial Briefs,
- c. Joint Witness List, and
- d. Joint Exhibit List.

5. **JURY TRIALS:**

For all jury trials, the following documents shall be filed electronically at least ten (10) calendar days before the FSC. Exempt parties may file the following documents either electronically or by conventional means (i.e., printed copies on paper) at least ten (10) calendar days before the FSC.

- a. Motions in Limine (if any),
- b. Trial Briefs,
- c. Joint Witness List,
- d. Joint Exhibit List,
- e. Joint Statement of the Case,
- f. Joint Jury Instructions,
- g. Joint Verdict Form, and,
- h. 3-Ring Trial Binder containing all the documents above (except Motions in Limine---see below).

6. **REQUIREMENTS FOR SPECIFIC TRIAL DOCUMENTS:**

a. **MOTIONS IN LIMINE**

All motions in limine, if any, must be in writing, numbered, and shall be served on all opposing parties and counsel and electronically filed at least **ten (10) calendar days** before the FSC. Untimely motions may not be considered. An opposition to any motion in limine must be in writing, numbered, and served and electronically filed by represented parties at least **five (5) calendar days** prior to the FSC. (Exempt parties may file same by conventional means on printed paper directly in Department F51.) The opposition must refer to the numbers used by the moving party. All parties must meet and confer on all motions in limine prior to filing said motions. Failure by any party or counsel to exchange or discuss any motion in limine may result in the refusal by the Court to hear any such motion in limine, pursuant to applicable court rules. Boilerplate or form motions in limine are disfavored. See “Motions in Limine Best Practices Addendum” attached.

Separate Notebooks Are Required for All Motions in Limine: In addition to filing electronically, the party filing the motion(s) in limine must also submit a 3-ring binder notebook containing all motions, oppositions, and replies. The notebook must have both a Table of Contents and tab dividers to separate each numbered motion and its corresponding opposition and reply. The notebook shall be submitted at least **two (2) calendar days** prior to the FSC. Late filed notebooks may result in the motions not being considered.

b. **TRIAL BRIEFS**

Trial briefs are mandatory for *all* (both Court and jury) trials and must include the following information and not exceed 20 pages:

- 1) A brief description of each cause of action and key affirmative defenses presented and the issues to be decided;
- 2) Statement of ultimate facts or issues to which you will stipulate;

- 3) Those facts established by admissions in pleadings; admissions by discovery and/or stipulation of the parties;
- 4) All contested issues of fact;
- 5) All contested issues of law, together with points and authorities supporting the position of the parties;
- 6) A list of major evidentiary issues anticipated, any relevant points and authorities supporting the position of the parties;
- 7) A detailed statement of the damages and relief claimed, including a specific breakdown of the elements of damages claimed and the amount sought; and,
- 8) Any other information that will assist the Court.

c. **JOINT WITNESS LIST**

The jointly prepared Witness List must include the name of each witness, an estimate of time for direct and cross-examination, and the total amount of time of all witness testimony combined for the entire trial. Potential scheduling problems must be noted.

d. **JOINT EXHIBIT LIST**

- 1) All parties must jointly prepare and exchange a completed Exhibit List, indicating each document and item of physical evidence, and whether there is a stipulation to authenticity and/or admissibility. Each exhibit shall be numbered or lettered. All parties shall agree in advance that their respective party will have a range of exhibit numbers or letters (*e.g.* Plaintiff No. 1: 1-99; Plaintiff No. 2: 100-199; Defendant: A-Z). Each exhibit must be separately identified. Subparts to an exhibit (*e.g.*, 1A, 1B, etc.) must also be identified and listed separately. Each page of a multi-page exhibit must be consecutively paginated. All items so referred to in the Exhibit List must be exchanged and/or reviewed by each counsel or the parties prior to the FSC. Identical copies of the Exhibit List and all exhibits must be provided in 3-ring binders as follows: one for each party, one for the Court, and one for the witness stand.
- 2) Each party must prepare a list of discovery material intended to be used at trial, including but not limited to interrogatories and requests for admissions and any responses thereto as well as deposition(s), all of which shall specifically identify the date, document, page and line. If depositions or other discovery responses are intended to be used at trial, originals shall be lodged with the Court at the time of trial.
- 3) Any party objecting to any listed exhibit, either as to foundation or admissibility, must first meet and confer prior to trial. Any objections not so discussed in the meet and confer shall be deemed waived except upon a showing of good cause.

e. **JOINT STATEMENT OF THE CASE**

The parties shall submit a printed copy of the jointly prepared, short, non-argumentative written statement of the case to be read to the jury.

f. **JOINT JURY INSTRUCTIONS**

Jury Instructions shall be submitted by **both electronic filing and by a printed copy delivered directly to Department F51.** However, non-represented parties are only required to submit jury instructions by delivering a printed copy directly to Department F51. As for all Jury Instructions, they must conform to the following requirements:

- 1) A jointly submitted packet of all requested and properly edited jury instructions to which there is no objection.
- 2) Each party shall also submit specifically requested and properly edited instructions not requested by the opposing counsel/party. These instructions shall be inserted into the aforementioned packet of the jointly submitted jury instructions, all to be considered and discussed by the Court at an appropriate time during the pendency of the trial.
- 3) The Court strongly encourages the use of CACI jury instructions.

g. **JOINT VERDICT FORM**

A special verdict form is mandatory and shall be jointly prepared in final form. Verdict forms shall be clear and direct to avoid any juror confusion.

7. **TRIAL BINDERS ARE REQUIRED FOR ALL JURY TRIALS BUT ARE DISCRETIONARY FOR ALL COURT TRIALS**

For all jury trials, the parties/counsel shall jointly prepare and lodge a trial binder with the Court **at least two (2) calendar days** before the FSC, containing the required trial documents, tabbed and organized into 3-ring binders, with a **Table of Contents** in the front of each binder, as follows:

- Tab A: Trial Briefs of all parties
- Tab B: Joint Witness List
- Tab C: Joint Statement to be Read to the Jury
- Tab D: Joint Exhibit List
- Tab E: Joint List of Jury Instructions (identifying the agreed upon and contested instructions)
- Tab F: Joint and Contested Jury Instructions
- Tab G: Joint and/or Contested Verdict Forms

The parties shall organize proposed jury instructions behind Tab F, with the agreed upon instructions first in order followed by the contested instructions (including special instructions) submitted by each party.

Please note that the trial binder and Motions in limine binder(s) should be in separate notebooks.

8. **EXHIBITS**

All exhibits sought to be admitted by the parties shall be placed in Exhibit Notebooks. On the first day of trial, the parties are **ordered to jointly submit five identical copies of the Exhibit Notebooks as follows: one for each party, two for the Court, and one for the witness stand.** Trial and evidentiary hearing exhibits shall not be filed electronically.

The Court strongly prefers the parties to file a joint exhibit notebook, containing both parties' exhibits in one notebook. Those exhibits can be numbered consecutively in the lower, right-hand corner of

each document. Each page should be given an exhibit number, so that if an exhibit contains multiple pages, it should have a “-” (dash) delineating each page. For example, if Exhibit 1 consists of 3 pages, it would be numbered as follows: Exhibit 1-1, 1-2, and 1-3.

9. **DISCOVERY**

If the parties intend to use any discovery during trial, the parties must **exchange in writing no later than 10 court days prior to the FSC** the particulars of any such discovery. For example, if a party proposes to read or show a video excerpt from a deposition, the proffering party must identify in writing by name the deponent, page, and line numbers to opposing counsel no later than 10 court days prior to the FSC. Failure to provide the specific discovery intended to be used at trial in writing and on a timely basis may result in a Court order prohibiting the use of said discovery.

- a. All parties must serve on the opposing attorney/*in pro per* party in writing and **no later than 10 court days before the FSC** all excerpts from depositions, responses to interrogatories, responses to requests for admissions, or other discovery responses to be used for any purpose at trial other than solely for impeachment and mark each excerpt as an exhibit.
- b. All parties shall meet and confer in a good-faith effort to resolve admissibility issues related to these excerpts. Any unresolved disputes must be memorialized in writing.
- c. All parties shall submit to the judge no later than 10 court days before the FSC a list of all excerpts from depositions and other discovery responses to be used at trial except for impeachment, along with any stipulations to their admissibility.
- d. On the first day of trial, the parties must lodge with the courtroom clerk the originals of all deposition transcripts, to be used for any purpose, before trial begins.
- e. On the first day of trial, the parties must provide sufficient copies for the judge, the opposing parties, and the witness of all excerpts from interrogatories, requests for admission, depositions, and video depositions.
- f. Any objections to the use of discovery material shall be done by way of an *in limine* motion.

10. **JURY SELECTION**

- a. The Court generally does not use written questionnaires which are time consuming and rarely save valuable time. Under some circumstances, the Court could require a prospective juror to complete a questionnaire. CCP § 205(d).
- b. The Court questions 12 prospective jurors on voir dire and then each side is given the opportunity to inquire (beginning with the plaintiff). This process is continued until the jury and the alternates are selected.
- c. In every case, the Court generally asks the questions set forth in the California Rules of Court, Standard 3.25, Examination of Prospective Jurors in Civil cases.
- d. Each side is given a reasonable amount of time for attorney voir dire of the first group of 12, and then a few minutes for follow up for each newly seated juror following peremptory challenges.
- e. **Hardship and Comfort Questions Prohibited:** Counsel are not to ask “comfort” questions of the jury like inquiring whether they would rather be doing something other than jury service or whether

they are likely to be bored if the case is complicated. Another typical “comfort” question is the question, “is there anybody who doesn’t want to be here for any reason?” California Judicial Administration Standards section 3.25(h). Further, with respect to hardship issues, be they vacations, meetings, doctor’s appointments, or anything else, the Court will ask each juror to write out their hardships or conflicts. Counsel are not to inquire about hardships with the jurors unless it is an individual inquiry after reading and considering the note written by the juror and having received permission from the Court.

11. **WITNESSES**

- a. The Court does not allow remote witness testimony in trials.
- b. It is counsel’s responsibility to have their witnesses available during their case to avoid unnecessary trial delays. If a party has no more witnesses to call, the Court may deem the party to have rested. The Court expects that counsel will exercise reasonable judgment in arranging for witnesses.
- c. If a witness has not completed his or her testimony at the time of recess or adjournment, counsel shall have the witness on the stand before the jury is seated.
- d. If a party requests that a witness be called during another party’s case-in-chief, counsel for that party shall meet and confer with opposing counsel promptly upon learning of the need for witness accommodation.
- e. If a witness requires an interpreter or needs an accommodation based on disability or otherwise, counsel shall make any necessary arrangements with the Court Clerk sufficiently in advance to avoid trial delays.
- f. The Court, not counsel, will admonish a witness while on the stand about responding to questions. LASC Rule 3.108.
- g. Unless a witness is excused, counsel is admonished to refrain from discussing testimonial issues with witnesses at any time when the Court is in recess or not in session. A witness is a ward of the Court and is not entitled to be cued, assisted, or helped approaching his/her cross examination. See *Kadelback v. Amaral* (1973) 31 Cal.App.3d 814. Counsel may talk to unexcused witnesses for scheduling or other nontestimonial issues.
- h. Counsel shall request permission only once from the Court to approach a witness. LASC Rule 3.110.

12. **CLOSING ARGUMENTS**

The Court may ask for time estimates and enforce time limits on closing arguments.

DATE: _____

ANDREW E. COOPER
Judge of the Superior Court

Motions in Limine Best Practices Addendum

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