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**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF ORANGE  
CIVIL COMPLEX CENTER**

CASE NO. 30-\_\_\_\_\_

Honorable Nancy Wieben Stock,  
Department CX-105

**INITIAL CASE MANAGEMENT ORDER**

An initial Case Management Conference is set on \_\_\_\_\_  
at \_\_\_\_\_ A.M. in Department CX-105, Complex Civil Courthouse, located at 751  
West Santa Ana Boulevard, Santa Ana, California, 92701. (657) 622-5305.

**Stay.** To facilitate the orderly conduct of discovery and motions brought before this court, **no motions may be filed prior to the Initial Case Management Conference and all discovery is stayed.** However, to the extent that a defendant wishes to file a first response other than an answer, Defendant is instructed to file a “Notice of [Special] Appearance and Intent to File [title of motion],” as the defendant’s first appearance, or special appearance, as the case may be. If due to unique case exigencies or for other good cause counsel wish to file any motion during the period of the brief stay described above, counsel may seek leave, by filing an ex parte application. Nothing herein stays the time for filing an affidavit of prejudice pursuant to Code of Civil Procedure §170.6.

**Initial Case Management Conference.** Counsel for all parties are ordered to **personally attend the Initial Case Management Conference.** Pursuant to Code of

1 Civil Procedure §367.5(c), and California Rule of Court 3.670(e), this Court  
2 determines with respect to this complex litigation that personal appearance by  
3 counsel at the Initial Case Management Conference will materially assist in the  
4 effective management of the case. If any counsel wishes the court to make an  
5 exception, for good cause, a request may be made by telephonic request to the  
6 courtroom clerk, or by ex parte application, stating grounds for requesting an  
7 exception. After the Initial case Management Conference counsel who are  
8 managing the litigation, and who are able to make decisions regarding discovery  
9 and briefing of legal issues, shall attend all subsequent Status Conferences  
10 personally, or by *Court Call*. For these **subsequent Status Conferences**, counsel  
11 shall file a brief **Joint Status Conference Statement three calendar days before**  
12 **hearing.**

13 Prior to the Initial Case Management Conference, counsel for all parties are ordered  
14 to meet and confer in person (no later than 10 days before the conference) and  
15 discuss the following topics. Additionally, counsel shall be prepared to discuss  
16 these issues with this court at the Initial Case Management Conference.

- 17 1. Parties and the addition of parties;
- 18 2. Claims and defenses;
- 19 3. Issues of judicial recusal or disqualification;
- 20 4. Issues of law that, if considered by the court, may simplify or foster  
21 resolution of the case;
- 22 5. Appropriate alternative dispute resolution (ADR) mechanisms (e.g.,  
23 mediation, mandatory settlement conference, arbitration, mini-trial,  
24 etc.);
- 25 6. A plan for preservation of evidence;
- 26 7. A plan for disclosure and discovery;
- 27 8. Whether it is possible to plan “staged discovery” so that information  
28 needed to conduct meaningful ADR is obtained early in the case,  
allowing the option to complete discovery if the ADR effort is  
unsuccessful;
9. Whether a structure of representation such as liaison/lead counsel is  
appropriate for the case in light of multiple plaintiffs and/or multiple  
defendants;
10. Procedures for the drafting of a Case Management Order, if  
appropriate;
11. Any issues involving the protection of evidence and confidentiality;

Counsel for plaintiff is to take the lead in preparing a **Joint Initial Case  
Management Conference Report to be filed three court days** prior to the Initial

1 Status Conference. The Joint Initial Case Management Conference Report is to  
2 include the following:

- 3 1. A list of all parties and counsel;
- 4 2. A statement as to whether additional parties are likely to be added and  
5 a proposed date by which all parties must be served;
- 6 3. An outline of the claims and cross-claims and the parties against whom  
7 each claim is asserted;
- 8 4. Service lists and procedures for efficient service filing;
- 9 5. Whether any issues of jurisdiction or venue exist that might affect this  
10 court's ability to proceed with this case;
- 11 6. Applicability and enforceability of arbitration clauses;
- 12 7. A list of all related litigation pending in other courts, a brief  
13 description of any such litigation, and a statement as to whether any  
14 additional related litigation is anticipated;
- 15 8. A description of core factual and legal issues;
- 16 9. A description of legal issues that, if decided by the court, may simplify  
17 or further resolution of the case;
- 18 10. Whether discovery should be conducted in phases or limited; and if so,  
19 the order of phasing or types of limitations on discovery;
- 20 11. Whether particular documents and witness information can be  
21 exchanged by agreement of the parties.
- 22 12. The parties' tentative views on an ADR mechanism and how such  
23 mechanism might be integrated into the course of the litigation;
- 24 13. The usefulness of a written case management order; and
- 25 14. A target date and a time estimate for trial.

26 To the extent the parties are unable to agree on the matters to be addressed in the  
27 Joint Initial Case Management Conference Report, the positions of each party or of  
28 various parties shall be set forth separately.

**E-Filing and E-Service.** Pursuant to Local Rule of Court 352, all filings in the  
Complex Civil Court shall be by e-filing. Further, pursuant to California Rule of  
Court 2.253(a)(1)(2) and CCP section 1010.6, the Court Orders that all service be  
made by e-service, subject to the exception, based upon a proper showing, that it  
would pose an undue hardship on a party.

**Related Cases.** Counsel are reminded of their responsibility to file a timely Notice  
of Related Case pursuant to California Rule of Court 3.300(b)(f). Related cases  
include cases pending in other counties and in federal court. (*See* CRC 3.300(b).)  
These rules establish a duty that continues throughout the course of the litigation.

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(See, e.g., CRC 3.300(f).) Further information on Department CX-105 and/or the Complex Civil Panel may be obtained from [www.occourts.org](http://www.occourts.org)

**SO ORDERED:**

Nancy Wieben Stock  
Judge