

**Courtroom Information for
Department 36
Stanley Mosk Courthouse,
4th Floor Room 410
Judge Wendy Chang**

Staff:

**Araceli Rodriguez, Judicial Assistant
Arthur Aguilar, Courtroom Assistant**

Contact Information: 213-633-0156

Courtroom Hours: 8:30 a.m. – 12:00 p.m.; and 1:30 p.m. – 4:30 p.m.

Welcome to Department 36. The Court appreciates attorneys and self-represented parties taking the time to read and comply with the policies and procedures set forth below.

Department 36 is an independent/direct calendar court.

A. CIVILITY IN LITIGATION

This Court places a very high value on civility, courtesy, and professionalism in the practice of law and in 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 civility, courtesy, and professionalism, both inside and outside the courtroom. The Court expects all attorneys and parties to grant reasonable requests for professional courtesies, such as requests for reasonable extensions of time for deadlines to respond to pleadings, discovery, or other matters. At all hearings, the Parties and counsel shall address all comments to the Court only, and not to each other. Parties and counsel should review, and at all times be in compliance with, the provisions of the California Code of Civil Procedure, the California Rules of Court, and the Los Angeles Superior Court Local Rules, Chapter 3, Civil Division Rules (“Local Rules”) that apply to unlimited civil actions in independent calendar courts, including Local Rule 3.26 (Litigation Conduct) and Appendix 3.A. (Guidelines for Civility in Litigation). All counsel and parties appearing in Department 36 shall conduct themselves at all times with dignity, courtesy and integrity.

B. MANDATORY eFILING

All parties represented by counsel shall comply with LASC Rule 3.4 and the operative General Order re Mandatory Electronic Filing for Civil (May 3, 2019). An attorney representing themselves will be considered to be represented by counsel for the purposes of this guideline. The operative general order is available at the Court’s website at <https://www.lacourt.org/division/efiling/pdf/GenOrdCivilEfiling.pdf> . All such filings shall be in strict compliance with the technical requirements set forth in that general order, specifically:

- 1) Electronic documents must be electronically filed in PDF, text searchable format when technologically feasible without impairment of the document’s image;
- 2) The table of contents for any filing must be bookmarked;
- 3) Electronic documents, including but not limited to, declarations, proofs of service, and exhibits, must be bookmarked within the document pursuant to California Rules of Court, rule 3.1110(f)(4). Electronic bookmarks must include links to the first page of each bookmarked item (e.g. exhibit, declaration, deposition excerpt) *and* with bookmark titles that identify the book marked item and briefly describe the item;

- 4) Attachments to primary documents must be bookmarked (e.g. depositions, declarations, exhibits, etc.);
- 5) The use of hyperlinks within documents (including attachments and exhibits) is helpful to the Court and strongly encouraged;
- 6) Each document accompanying a single pleading must be filed as a separate digital PDF document;
- 7) Multiple documents relating to one case can be uploaded in one envelope transaction;
- 8) Writs and Abstracts must be submitted as a separate electronic envelope.
- 9) In cases where a judicial officer orders that documents be filed under seal, those documents must be filed electronically (unless exempted under the operative General Order.) The burden of accurately designating the documents sealed at the time of electronic submission is the submitting party's responsibility;
- 10) It is the submitting party's responsibility to redact confidential information so that confidential information shall not be publicly disclosed.

A printed courtesy copy (along with proof of electronic submission) is required to be delivered to Department 36 by 4:30 p.m. on the same business day the document is efiled. If the efile is submitted after 4:30 p.m., the courtesy copy must be delivered to Department 36 no later than 10:00 a.m. the next business day. All courtesy copies with attachments shall have physical identifying tabs separating each such attachment. The failure to timely provide the Court with courtesy copies may result in the motion being continued until compliance is achieved.

C. EX PARTE APPLICATIONS

Ex parte applications will be considered Monday through Friday at 8:30 a.m. Applicants must comply with California Rules of Court, rule 3.1200, *et seq.* and pay the filing fee before appearing in Dept. 36. *Ex parte* applications are reserved for exigent circumstances and must 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*."

Parties represented by counsel must electronically file *ex parte* applications with all documentary support no later than 10:00 a.m. the court day *before* the *ex parte* hearing. Any written opposition to the *ex parte* application by parties represented by counsel must be electronically filed no later than 4:00 p.m. of the day before the *ex parte* hearing, with a courtesy copy to be delivered directly to Dept. 36 no later than 4:30 p.m. that same day.

Self represented parties seeking to present documents in support of or in opposition to an *ex parte* application must file them with the Judicial Assistant in Dept. 36 by 8:45 a.m. on the day of the hearing, *after* paying any applicable filing fee at the filing window in room 102 (unless the party has a fee waiver). A separate courtesy copy of the papers shall also be brought for each other party in the case. If you wish to have a stamped copy for your own records, please bring another extra copy for that purpose. The Judicial Assistant will date stamp that copy and return it to you. The Court will not accept *ex parte* papers from self represented parties for hearings that same day if filed after 8:45 a.m.

D. HEARINGS IN GENERAL

Upon arrival, please check in with the courtroom assistant. Counsel shall provide a business card that indicates the party they represent and the calendar matter number on which they are appearing. In lieu of a personal appearance in the courtroom, and unless otherwise ordered, counsel may appear via LA CourtConnect. *See* Cal. Code Civ. Proc. § 367.5; Cal. Rules of Court, rule 3.670; and Local Rule 3.6.

If parties/counsel are going to be late for a hearing, please contact court staff prior to the hearing at (213) 633-0156.

The Court grants priority requests when a party or attorney is *actually engaged* in a trial in another courtroom at the same time. The Court does not otherwise grant priority requests in the absence of an unforeseeable exigent circumstance.

Department 36 strongly encourages the active participation of junior/associate attorneys in hearings or trial before the Court, to help develop their skillset. To that end, while the Court will normally only permit one attorney per side to argue, and typically allocates no more than 20 minutes each side for the entire hearing, when a junior/associate attorney argues for whatever relief is requested or participates in questioning a witness, the Court will permit one senior attorney for the same party to augment the argument or questioning, to eliminate risk to the client.

E. CASE MANAGEMENT CONFERENCES

The parties/counsel must comply with California Rules of Court, rule 3.700 *et seq.*, and Local Rule 3.25 in connection with such conferences and hearings. Case management statements must be filed at least fifteen (15) calendar days before the conference. (CRC 3.725(a).)

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. Any counsel who attends the Case Management Conference must be fully knowledgeable about the case, be able to commit to the party's position, and able to address any questions the Court may have.

If you require the services of an interpreter for your hearing, please advise Court Staff no later than when you check in. Courtroom interpreters are not always available on the same day as requested. If you contact Court Staff at least 2 days prior to your hearing with your request for an interpreter, there is a higher chance we will have one available at the time of your hearing.

F. LAW AND MOTION

Law and motion hearings are conducted on Tuesday and Thursday beginning at 8:30 a.m., unless otherwise specially set by the Court. Moving parties must secure a hearing date via the online Court Reservation System (CRS) on the Los Angeles Superior Court website. Please see the "Online Services" section to find the civil Court Reservation System at www.lacourt.org to reserve a hearing date prior to filing any motion, except for motions *in limine*, which are normally heard on the first day of trial. Motion fee payments are required at the time reservations are made online.

Courtesy copies of **all** motion-related documents filed electronically must be delivered to Department 36 by 4:30 p.m. on the same business day the document is efiled. If the e filing is submitted after 4:30 p.m., the courtesy copy must be delivered to Department 36 no later than 10:00 a.m. the next business day. All courtesy copies with attachments shall have physical identifying tabs separating each such attachment. The failure to timely provide the Court with courtesy copies may result in the motion being continued until compliance is achieved.

A party/counsel who takes a motion off calendar shall promptly notify the Court and all other parties/attorneys.

The Court does not post written tentative rulings. The Court generally will announce the tentative orally at the start of the hearing.

Generally, the Court will permit a maximum of 20 minutes total for oral argument to each side. Please plan the presentation of argument accordingly.

Unless otherwise ordered by the Court, or unless the proposed order is statutorily required to be in a certain format, the Court does not require the filing of proposed orders along with motions. The minute order operates as the order of the Court.

A proposed order is required for a stipulated request for an order.

If you require the services of an interpreter for your hearing, please advise Court Staff no later than when you check in. Courtroom interpreters are not always available on the same day as requested. If you contact Court Staff at least 2 days prior to your hearing with your request for an interpreter, there is a higher chance we will have one available at the time of your hearing.

G. DISCOVERY DISPUTES

The Court expects and encourages counsel and any self-represented parties to informally resolve discovery disputes, instead of using expensive and cumbersome discovery motions. Thus, counsel and any self-represented parties shall meet and confer to make a reasonable and good faith attempt to informally resolve each discovery issue in dispute. If an informal resolution is not reached after meeting and conferring, then either party may request that the Court conduct a discovery meet and confer conference (MCC) for the purpose of discussing discovery matters in dispute between the parties.

Any party/counsel seeking to file a motion to compel *further* discovery responses, or a dispute over the scope of a PMK deposition, should call Department 36 and schedule a MCC prior to filing the motion. Prior to your call, please have at least 3 possible dates for the MCC that work for all counsel. At least five (5) days before the MCC, the parties/counsel shall file a joint statement that *succinctly* summarizes the nature of the dispute, the necessity for the discovery, the basis for any objection or withholding of information, and the overall status of discovery. Please group the identified discovery by issue in dispute, if possible. Please deliver a courtesy copy of the succinct joint statement. Do not file the equivalent of full discovery motions as your MCC statement. The failure to engage in a MCC for motions to compel further responses may result in the Court continuing the motions until the MCC is held.

MCCs may also be requested for Motions to Compel Attendance at Deposition, Motions for Protective Order, Motion for Clawback and/or Motions to Quash.

Any active statutory deadline to file a motion to compel further responses is automatically extended from the date written notice of the MCC conference is given to two weeks after a party's good faith participation in the MCC conference. This extension does not apply towards any statutory deadline that has already expired at

the time written notice of the MCC conference is given, nor does it apply to any party who does not engage in the MCC conference in good faith.

The Court does not require parties to remove objections that, after stating “subject to and without waiver of...”, proceed to substantively answer the question at issue in good faith, unless the objections have been otherwise legally waived.

No MCC is required prior to filing a motion to compel initial discovery responses.

At the MCC, all present at the MCC must have full authority to enter into stipulations about the pending dispute. If there is agreement from the parties/counsel, the Court will reduce the stipulations into an order. Otherwise, the Court will request the parties/counsel to confirm the stipulations with each other after the MCC and to proceed accordingly.

The Court grants permission to any party filing a motion to compel further responses to file a concise outline of the discovery request(s), response(s), and the legal positions of each of the parties to the dispute, *see* Cal. Rule of Court Rule 3.1345(b), in lieu of a separate statement. Such concise outlines should group together discovery issues where possible. The Court appreciates a table format for the concise outlines, with columns for each category of discovery request, response, and legal positions of the parties. This permission does not abrogate the statutory requirement to file a separate motion for each type of discovery in dispute.

In Song-Beverly Warranty Act claims, the Court offers the following guidelines as to what it believes is discoverable:

1. Purchase and/or lease contract concerning the subject vehicle.
2. Repair orders and invoices concerning the subject vehicle.
3. Communications with dealer, factory representative and/or call center concerning the subject vehicle.
4. Warranty claims submitted to and/or approved by Defendant concerning the subject vehicle.
5. Any Warranty Policy and Procedure Manual published by defendant and provided to its authorized repair facilities, within the State of California, for the date the subject vehicle was purchased to the present.
6. Any internal analysis, investigation, and/or communications regarding the same defects claimed by plaintiff in vehicles of the same year, make and model as the subject vehicle which were sold within the State of California.
7. Any customer complaints regarding the same defects claimed by plaintiff in vehicles of the same year, make and model as the subject vehicle which were sold within the State of California.
8. Any warranty repairs regarding the same defects claimed by plaintiff in vehicles of the same year, make and model as the subject vehicle which were sold within the State of California.
9. All policies and/or procedures used to evaluate customer requests for repurchase pursuant to the Song-Beverly Consumer Warranty Act, from the date of purchase to the present.
10. Technical Service Bulletins and/or Recall Notices regarding the same defects claimed by plaintiff in vehicles of the same year, make and model of the subject vehicle which were sold within the State of California.
11. Any documents supporting plaintiff’s claim for incidental and/or consequential damages.

Any discovery dispute that comes before the Court in a Song-Beverly Warranty Act case, either in a MCC or in a discovery motion, shall identify with specificity each discovery item in dispute, cross-reference and quote the corresponding relevant Dept. 36’s Courtroom guideline for Song-Beverly discovery disputes (if any), and advise the Court as to what dispute remains after reviewing the relevant corresponding guideline, which party asserts the remaining dispute, and why it contends a dispute remains beyond the Courtroom’s corresponding

guideline.

H. TRIAL PROCEDURES

Trials are scheduled to commence on Fridays at 8:30 a.m. Thereafter, the trial day normally starts at 9:30 a.m., unless otherwise ordered by the Court. One morning break and one afternoon break might be taken, depending on that day's proceedings. Lunch is taken between 12:00 p.m. and 1:30 p.m. Proceedings will generally recess at 4:15 each day.

The parties/counsel are to follow the civil trial procedure rules set forth in Local Rule 3.25, et seq.

The Court will discuss methods of jury selection with counsel at the final status conference, but generally follows a 6-pack method.

Absent special circumstances, the Court will generally give preference to the oldest case if more than one case announces ready for trial.

Unless otherwise ordered, the following pre-trial filing and service deadlines apply. All deadlines for service are extended based on the manner of service as set forth in Code of Civil Procedure § 1013.

1. Final Status Conference ("FSC") and Pretrial Filings

Final Status Conferences are conducted on Wednesdays at 8:30 a.m., 10 days prior to the scheduled trial date. Pursuant to Local Rule 3.25(f), all trial counsel must attend the final status conference in person, unless excused by the Court beforehand. All pretrial documents must be filed in advance of the FSC.

At least five (5) calendar days prior to the FSC, the parties/counsel shall serve and file the following trial readiness documents:

- a. Trial Briefs – Each party shall file a trial brief 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 the calculation of damages sought; and
 - (4) any other information that may assist the Court at trial.
- Motions *in Limine* – Before filing motions *in limine*, the parties/counsel shall comply with the statutory notice provisions of Code of Civil Procedure section 1005 and the requirements of Los Angeles County Local Rule 3.57(a). The caption of each motion *in limine* shall concisely identify the evidence that the moving party seeks to preclude. Parties filing more than one motion *in limine* shall number the motions consecutively. Parties filing opposition and reply briefs shall identify the corresponding motion number in the caption of their pages.
- Joint Statement – For jury trials, the parties/counsel shall prepare a joint written statement of the case for the Court to read to the jury. (Local

Rule 3.25(g)(4).) The joint statement shall be a neutral short statement of the case and not exceed 2 paragraphs. The parties/counsel shall sign the joint statement.

- Joint Witness List – The parties/counsel shall work together and file a joint list of all witnesses that each party intends to call, excluding impeachment and rebuttal witnesses. (Local Rule 3.25(g)(5).) The joint witness list shall identify each witness by name, a general description of expected testimony, specify which witnesses are experts, estimate the length of direct examination, cross-examination, and re-direct examination of each, and include a total of the number of hours for all witness testimony. There should be no duplicate names on the list. The parties shall identify all potential witness scheduling issues and special requirements. The parties/counsel shall sign the joint witness list.
- Joint List of Proposed Jury Instructions – 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 Court to indicate whether the instruction was given. The parties/counsel shall sign the joint list of proposed jury instructions.
- Jury Instructions (Joint and Contested) – The parties/counsel shall prepare a complete set of full-text proposed jury instructions, editing all proposed California Civil Jury Instructions, insert party name(s), eliminate blanks, brackets, and irrelevant material. The parties shall prepare special instructions in a format ready for submission to the jury with the instruction number, title, and text only (i.e. there should be no boxes or other indication on the printed instruction itself as to the requesting party). Where there is an available CACI instruction, the Court will generally not give a substituted special instruction. Uncontested and contested instructions shall be separated into subsections, with all uncontested instructions together, and all contested instructions together.
- Joint Verdict Form(s) – The parties/counsel shall prepare and file a joint proposed general verdict form or special verdict form (with interrogatories) acceptable to all sides. (Local Rule 3.25(g)(8).) If the parties/counsel cannot agree on a joint verdict form, each party must separately file a proposed verdict form, and bring an electronic copy of their proposed verdict form to the FSC, ready to be edited in the courtroom.
- 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 admissibility of each exhibit. The parties/counsel shall sign the joint exhibit list.

- Page and Line Designations for Deposition and Former Testimony – If the parties intend to use deposition testimony or former trial testimony in lieu of any witness’s live testimony, the parties shall meet-and-confer and jointly prepare and file a chart with columns for each of the following: (1) the page and line designations of the deposition or former testimony requested for use, (2) objections, (3) counter-designations, (4) any responses thereto, and (5) the Court’s rulings. The objecting party shall specify all objections in the respective column. The parties/counsel shall sign the designations.

2. Trial Binders

Counsel must provide a joint trial binder for the Court at the FSC (**or shortly before, if appearing remotely**). The trial binder shall be organized as follows:

Tab A:	Trial Briefs
Tab B:	Motions <i>in Limine</i>
Tab C:	Joint Statement of the Case
Tab D:	Joint Witness List
Tab E:	Joint List of Jury Instructions
Tab F:	Joint and Contested Jury Instructions
Tab G:	Joint and/or Contested Verdict Forms
Tab H:	Joint Exhibit List
Tab I:	Joint Chart of Page and Line Designations for Deposition and Former Testimony
Tab J:	Copies of all Current Operative Pleadings

3. Motions in Limine

The parties/counsel **MUST** meet and confer in good faith prior to filing the motions *in limine* in an attempt to reach a stipulation on the evidence and other evidentiary issues. A simple exchange of letters that identify the motions to be filed is not a good faith meet and confer. Failure to meet and confer in good faith may result in a summary denial of the motion.

Each motion *in limine* must identify a specific item or category of evidence, or a specific witness, that is sought to be limited or excluded. Lack of specificity in the request may result in a summary denial of the motion.

Any party/counsel seeking to file in excess of 10 motions *in limine* shall contact Department 36 to schedule a *Motions in Limine Conference* before doing so. This conference must occur prior to the deadline for filing the motions. The parties/counsel are strongly discouraged from filing more than 5 contested motions *in limine*. The parties/counsel are strongly encouraged to stipulate to uncontested motions. Uncontested motions should note “uncontested” in the caption.

The following motions *in limine* are deemed filed and deemed granted:

- 1) to preclude non-testifying non-party witnesses from being present in the courtroom when others are testifying (See Evid. Code, § 777);
- 2) to preclude reference to the liability insurance in a case defended by that liability insurance policy;
- 3) to preclude references, etc., to settlement discussions;
- 4) to limit opinions and testimony of treating physicians to those acquired for the purposes of treatment;
- 5) to exclude evidence, argument, etc., to “demonize” any party.

All orders on motions *in limine* will apply to all lawyers and all parties unless otherwise ordered by the Court.

Most motions *in limine* will be heard on the first day of trial (normally a Friday). Motions *in limine* are governed by the statutory notice requirements set forth in Code of Civil Procedure sections 1005(b) and 1013, and should be set *with a hearing date of the final status conference*. Only motions *in limine* relating to witnesses whose depositions were taken after the deadline to file the motions *in limine* herein will be considered after this deadline, and only if filed within 36 hours of the completion of that deposition. Rough transcripts from the deposition may be used, or a declaration of counsel may be used at the filing of these motion, so long as final transcripts are filed with the Court within 24 hours of receipt of those transcripts. Noncompliant motions *in limine* will not be considered absent good cause.

When filing motions *in limine*, the parties must comply with Local Rule 3.57, including the required declaration, if applicable.

Motions *in limine* shall not be used to seek dispositive orders that should have been sought through a motion for summary judgment, summary adjudication or judgment on the pleadings.

The parties/counsel shall organize motions *in limine* (tabbed in numerical order) behind Tab B with the opposition papers and reply papers for each motion placed directly behind the moving papers.

4. Exhibits

Pursuant to Local Rules 3.52 and 3.53, the exhibits must be pre-marked using Arabic numerals and in instances where exhibits consist of multiple pages, each page must be numbered sequentially. The exhibits *must be* exchanged at least five (5) calendar days before the FSC and lodged with the Court on the first day of trial. At least four sets of exhibit binders – tabbed and paginated – are required on the first day of trial: a complete set each for the Court, the judicial assistant, and the witness. Counsel must also supply an exhibit binder to each opposing party.

Parties should be familiar with Local Rule 3.148, et seq., regarding trial exhibits, including, but not limited to, Rule 3.152 (requiring exhibits to be moved into evidence as soon as the evidentiary foundation for their admission has been established), Rule 3.155 (governing publication of exhibits to jurors), and Rule 3.158 (use of depositions, interrogatories, and requests for admissions).

I. SETTLEMENT PROGRAMS

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

a. 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.

b. 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.org.

c. 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.org.

d. Resolve Law LA (RLLA) Virtual Mandatory Settlement Conferences

Resolve Law LA provides three-hour virtual Mandatory Settlement Conferences 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>.

J. NON-COMPLIANCE

The parties should be familiar with Code of Civil Procedure section 575.2(a) (setting forth penalties for failure to comply with the Local Rules) and Local Rules 3.10 and 3.25(f)(1). Local Rule 3.10 authorizes the imposition of sanctions for failure or refusal to comply with the Local Rules and any Court order entered pursuant to those rules, and incorporates the sanctions set forth in the Code of Civil Procedure, California Rules of Court, and Government Code. Further, Local Rule 3.25(f)(1) states that failure to exchange and file the pretrial items set forth above may result in the exclusion of witnesses and/or evidence at trial, or waiver of jury trial.