

Complaint 11/24/11
fsc 11/26/12
Trial 12/04/12

EX PARTE APPLICATION

DEPARTMENT: EA - H

JUDGE: R. BRUCE MINTO

DATE: July 31, 2012

CLERK: A. CABALLERO

CASE NUMBER: Kwd2582

ex parte

KCD 6258

Calmat CO

FILED
LOS ANGELES SUPERIOR COURT

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Firearms - Environmental - Land Use - Employment Law

PLAINTIFF

JUL 31 2012

JOHN A. CLARKE, CLERK
BY A. CABALLERO, DEPUTY

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VS.

San Gabriel Valley

DEFENDANT

DEFENDANT'S COUNSEL

San Gabriel Valley gun club

EX-PARTE APPLICATION FOR:

Order shortening time re: Mtn to reset trial.

See attached order/ruling

GRANTED: _____ DENIED: _____ ORDER: _____

(PLEASE SEE OTHER SIDE FOR ADDITIONAL ORDERS, IF ANY)

**ORDER/RULING ON
EX PARTE HEARING
DEPT. H, POMONA SOUTH
HON. R. BRUCE MINTO**

FILED
LOS ANGELES SUPERIOR COURT
JUL 31 2012
JOHN A. CLARKE, CLERK
Amon D. Caballero
BY A. CABALLERO, DEPUTY

Having read the moving papers filed in connection with the ex parte motion identified on the attached Pink Sheet, the court now rules as follows:

While under normal circumstances bringing this motion on an ex parte basis might be justified because it would be convenient to counsel and the parties to know as early as possibly whether the trial is going to be continued, and perhaps save them some significant expense, these are not normal times. Pomona South Court has closed 2 of the 5 unlimited civil courtrooms, and transferred those calendars to the 3 remaining courts. Accordingly, caseloads have risen by 66%, along with trials and normally set motions, while ex parte motions seem to have increased exponentially because counsel and the parties, understandably, don't want to wait for normally set law and motion dates. Unfortunately, absent extraordinary circumstances that are not present here, the convenience to counsel and saving parties the expense of preparing for trial or making their motions for summary judgment are no longer good cause to make motions to continue on an ex parte basis. The parties apparently already have a date to hear the motion to continue, they would just like an earlier date.

Pending the hearing on the motion to continue trial, the court will honor a stipulation to continue the trial up to 120 days, i. e. to the date requested of March 4, 2013 or up to 30 days after that, i.e. April 8, 2013 or before, that meets the conditions below. The stipulation may be filed anytime before the hearing on the motion to continue trial, which counsel represents is September 11, 2012. If a conforming stipulation is filed, the existing trial and FSC dates are vacated and the dates in the stipulation will be set. The conditions are:

1. The stipulation must set out the specific date for trial that all counsel are willing to be bound by. Do not agree to a date without checking with experts, parties, and witnesses, as the date will be binding. Trials are only set on the first day of the week at 830 am. The stipulation

should also set a new FSC date 10 to 14 days before the trial. FSCs are set Monday through Thursday at 8:30 a.m. March 4, 2013 is an acceptable date for trial.

2. Discovery, discovery motion, and summary judgment/adjudication motion cut-offs are extended only as provided in the stipulation.

3. All parties and counsel must agree to participate in a private mediation with a mutually acceptable mediator some time before the new FSC date. If it has not already taken place, the private mediation may be in addition to or in lieu of the previously ordered panel mediation.

Unless waived, moving party is to give notice of the above. Counsel should advise the clerk if the matter is submitted, in which case the tentative above becomes the ruling of the court. If a hearing is requested it can not be until sometime this afternoon.

SO ORDERED.

Dated: July 31, 2012

By:



Hon. R. Bruce Minto