

Complaint 11/22/11
pmSC 11/18/12
FSC 11/20/12
trial 12/04/12

EX PARTE APPLICATION

DEPARTMENT: EA - H

JUDGE: R. BRUCE MINTO

DATE: 1/16/12

CLERK: A. CABALLERO

CASE NUMBER: KC062582

REPORTER:

FILE: YES / NO

Colmat Co.

PLAINTIFF

FILED
LOS ANGELES SUPERIOR COURT
JUL 16 2012

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

VS.

San Gabriel Valley Gun Club

DEFENDANT

PLAINTIFF'S COUNSEL

Ex parte

Case No. KC062582

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EX-PARTE APPLICATION FOR:

San Gabriel Valley
Order re-setting trial Date of Mediation Cut-off

See attached Order/Ruling

GRANTED: _____ **DENIED:** _____ **ORDER:** _____

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

FILED
LOS ANGELES SUPERIOR COURT

JUL 16 2012

JOHN A. CLARKE, CLERK
Amor D. Caballero
BY A. CABALLERO, DEPUTY

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

Having read the moving papers filed in connection with the pending ex parte motion by Defendant Gun Club, identified on the attached Pink Sheets, the court now rules as follows:

The ex parte motion is granted in part, and denied in part. The Post Mediation Status Conference date is vacated. The parties have until the current FSC date of 11//26/12 to complete the panel mediation they were previously referred to.

The ex parte request to continue trial six months by stipulation is denied. The trial date is just under five months away, and there is no good cause to make this motion on an ex parte basis. There are plenty of motion time slots available for this motion to be heard long before the trial date. Further, the parties can not stipulate to continue trials other than as provided in CCP Section 595.2.

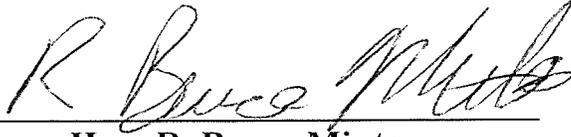
If a stipulation under CCP 595.2 is filed, it will be honored. The stipulation must set out the specific date for trial that all counsel are willing to be bound by, and that date must be within 30 days of the existing date, i.e. January 7, 2013, or before. Dept. H anticipates being dark the last two weeks of December. 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. MSJ, discovery, and discovery motion cut-offs are extended only as provided in the stipulation.

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 will be sometime this afternoon.

SO ORDERED.

Dated: July 16, 2012

By:

A handwritten signature in cursive script, appearing to read "R. Bruce Minto", written over a horizontal line.

Hon. R. Bruce Minto