

## Honorable Timothy B. Taylor, Presiding

### Phone Numbers:

Courtroom: (619) 844-2204

1. **Ex Parte.** *Ex Parte* appearances are scheduled on Fridays at 9:00AM, by reservation only. Papers are due by noon the day prior to the hearing, with the appropriate fee. To reserve an *ex parte* hearing, contact the courtroom clerk at the number provided above. Comply with CRC 3.1200 et seq.
2. **Settlement Conferences.** Settlement conferences are set on Fridays at 10:00AM, by reservation only via the courtroom clerk. Compliance with Local Rule 2.3.1 is required. Specifically, parties must have exchanged written demand(s) and written offer(s) **before** scheduling the settlement conference. Persons with full settlement authority **must appear in person**. Settlement briefs must be lodged at least 3 court days before the conference and must not exceed 5 pages.
3. **Law and Motion.** Noticed post-trial motion hearings are by reservation only. To reserve a date, contact the courtroom clerk at the number provided above. Motions are set on Fridays at 9:00AM. Tentative rulings are posted during the days preceding the hearing as they are completed, not later than 4:30 pm on the afternoon before the hearing. Motions not relating to the trial (such as enforcement of judgment) are to be heard in the original department.
4. **Trials.** Trial calls are set on Fridays at 8:30 a.m. unless otherwise designated by the court. Trials typically start the Monday after the trial call, depending on juror availability and the Court's calendar.
5. **Remote Appearances.** The California Rules of Court and Local Rule 2.5.8 govern remote appearances. For more information on this, see item 7 below.
6. **Trial Requirements. The Court requires counsel to bring to the Friday Trial Call a Joint Trial Notebook comprised of the following:**
  1. Table of contents.
  2. Copy of Joint Trial Readiness Report, and operative pleadings.
  3. Copies of *In Limine* motions and oppositions, in order (motion followed by opposition).
  4. Copy of Joint Witness List with a short sentence describing the witness (i.e., Dr. Steven Smith, an orthopedic surgeon from County Hospital).
  5. Copy of Joint Exhibit List. The list must be carefully reviewed to ensure the description of the Exhibit matches the Exhibit. The bulk marking of exhibits is **impermissible**. For example, do not mark an entire file as Ex. 7. If Bates numbers are used, corresponding entries for exhibits (e.g. 7.1, 7.2, etc) must appear on the Exhibit list so the clerk may readily keep accurate records of what is received in evidence. Do not name several photographs all with the same title (e.g. "photo of Plaintiff").
  6. Copies of Trial Briefs.
  7. Joint Statement of the Case, in neutral form suitable to be read to prospective jurors. (Competing versions not acceptable.)
  8. Voir Dire questions counsel requests Court to ask (if any).
  9. Jury Instructions - packet of agreed-upon instructions and packet of not agreed-upon instructions with tags indicating who opposes the instruction.

10. Special Verdict Form(s) - either agreed upon form(s) or each side's proposed Special Verdict Form(s). If the parties fail to make a genuine effort to limit disputes on the form of the special verdict, the court will use a general verdict.

**In addition, the following are due the day trial commences:**

1. **Two** exhibit binders (original for the witness, pre-marked with Court Exhibit tags, and one copy for the Court). Each exhibit **MUST** be pre-marked with the Court's brown exhibit stickers on the bottom right corner, must contain the discrete exhibit number, case #, (shorthand i.e., 2022-12345), department #, and shall be correctly identified. By way of example, it is impermissible to label "Dr. Jones' file" collectively as Exhibit 25. Writing on the exhibit stickers should be done with a fine tip sharpie to prevent smearing and maintain legibility.
2. Three copies of the Joint Witness List.
3. Three copies of the Joint Exhibit List.
4. Copies of deposition transcripts that will be used during trial. These are to be lodged by placing them on the shelf in front of the bench.
5. Blank check for jury fees (unsigned) which the clerk will retain in a locked drawer.

**7. Remote Appearances.** Unless otherwise ordered by the Court, proceedings in Department 2004 will be conducted in person, remotely, or a combination of the two, at the discretion of the counsel, witness, or self-represented litigant making the appearance. All remote proceedings will be conducted via Microsoft Teams. Any counsel, party, or witness wishing to appear remotely must comply with all applicable provisions of California Code of Civil Procedure section 367.75, California Rules of Court, rule 3.672, and any applicable Local Rule or General Order of the San Diego Superior Court.

**GUIDELINES FOR REMOTE APPEARANCES OF WITNESSES AT TRIALS**

To assure the fair conduct of trial, the following procedures shall be followed:

1. With respect to any party or witness who appears at trial via Microsoft Teams, no party or witness may testify by audio only, or by telephone, unless all parties stipulate that the testimony may be taken by audio only.
2. Each party or witness testifying remotely shall arrange for their own video appearance for each day of trial and shall be solely responsible for the payment of any fees arising from such appearance.
3. Each party shall arrange for the video appearance of any third-party witness appearing remotely it intends to call and shall be solely responsible for the payment of any fees arising from such appearance. Witnesses who have been properly subpoenaed shall cooperate with the parties in the making of these arrangements unless their appearance has been excused by the Court.
4. Each party shall assure that their video feed and that of their witnesses appearing remotely is of sufficient quality and scope so that the Court and opposing counsel may see and hear the witness clearly and be able to assure that no witness is susceptible to coaching or has the ability to rely on any materials out of sight of the Court and/or opposing counsel. The Court recommends that parties and witnesses have more than one device available to them in case problems arise with their primary device. Witnesses must not be backlit, must be appropriately attired, must use a neutral background, and must ensure a quiet location, an adequate microphone, and a stable camera. Appearances from the front seat of a car are strongly discouraged.
5. Any and all materials that any witness relies on to refresh recollection or otherwise during the course of his or her testimony shall be provided to all counsel upon request.
6. Each party shall send a hard copy of any pre-marked exhibit it intends to introduce to both the Court and opposing counsel no later than 3 p.m. on the court day preceding the scheduled trial date.

7. Each party shall to the extent possible provide a hard copy of any exhibit it intends to have a witness appearing remotely view during that witness's testimony to the witness in advance of the time the witness testifies. Advance planning is essential.
8. Parties and counsel shall assure that any non-party witness who will testify at trial will not see or hear any of the trial proceedings that occur before they testify, or that occur after they testify and before they are excused from providing further testimony.
9. Each party shall assure that the proceedings are not being recorded or reported in any manner other than by the duly authorized court reporter.