

## **Department C-74, 6<sup>th</sup> Floor Hall of Justice**

### **Honorable Blaine K. Bowman, Presiding**

#### **Courtroom Staff:**

Courtroom Clerk: Kim Mulligan (619) 450-7074

Calendar Clerk: Grachelle Mendoza (619) 450-7183

**Conformity with Local Rules:** Unless otherwise indicated herein, Department 74 strictly adheres to the San Diego Superior Court Local Rules, Division II.

**Case Management Conferences:** Case Management Conferences are heard on Friday mornings at 9:30. Counsel shall file a Case Management Statement no later than 15 calendar days before the hearing pursuant to California Rules of Court, rule 3.725. Counsel for each party must be familiar with the case and be prepared to discuss all issues as required by CRC 3.722(c). Continued Case Management Conferences do not require a new statement unless directed by the Court.

**Continuances:** Case Management Conferences may be continued by stipulation of counsel. Request to continue Trial, Trial Readiness Conference, and Motion Cut-off dates may be requested by Stipulation and Proposed Order. The Court will review the Stipulation and Proposed Order and if necessary, will call the parties to schedule an Ex-Parte hearing.

**Ex Parte Matters:** Ex parte appearances are by reservation only on Tuesday and Thursday at 8:30 a.m. Ex Parte papers are due no later than 10:00 am the business day prior to the scheduled ex parte appearance with the appropriate fee. A meaningful meet and confer is required before setting an ex parte hearing. Sending an email to opposing counsel stating that the matter has been set for a hearing is not considered meaningful. A short declaration stating the issues in dispute along with attached copies of what has been requested and any responses given must be filed.

No ex parte appearances are required for the following:

- Stipulation for order extending arbitration date for 90 days or less.
- Stipulation for order extending expert designation dates.
- Order for publication with declaration of due diligence.

**Law and Motion Matters:** Motions are heard on Fridays at 8:30 a.m. by reservation only. A Tentative ruling will be posted on the San Diego Superior Court website ([www.sdcourt.ca.gov](http://www.sdcourt.ca.gov)) no later than 4:00 p.m. the Court day before the hearing date. Motions are heard in accordance with California Rules of Court, rule 3.1308(a)(2).

**Remote Appearance:** Remote appearances on MicroSoft Teams are pursuant to CRC § 3.670. Cameras are strongly encouraged to be activated during appearances for operational efficiency.

#### **Personal Appearances Required:**

Trials and hearings where witnesses are expected to testify  
Hearings on Temporary Restraining Orders  
Trial Readiness Conferences  
Trial Call  
Settlement Conferences  
Judgment Debtor Exams

**Trial Readiness Conference: Lead trial counsel must be personally present, not a second chair attorney;** telephonic appearances are not allowed. Trial Readiness Conferences are heard at 1:30 p.m. on Fridays or as designated by the court. A complete joint trial readiness conference report must be filed at least five court days before this hearing pursuant to Local Rule 2.1.15.

**Trial Call:** Trial Calls are at 1:30 p.m. on Fridays. **Lead trial counsel must be personally present.** Remote appearances are not allowed. Counsel must provide agreed upon jury instructions and verdict forms. Additionally, counsel must provide a Joint Trial Notebook and an Inlimine Motion Notebook on this date (See Department 74 Trial Requirements). Failure to show up at Trial Call with these four items will result in a finding that you are not ready for trial.

**In Limine Motions:** A meaningful meet and confer process is required before filing any in limine motion. If the motion will be unopposed, the motion shall not be filed. Stipulations to resolve in limine motions are encouraged. Boilerplate motions are discouraged. Please read Local Rule 2.1.18 before filing any in limine motions.

**Trial:** This department is normally in session for trials Mon-Thurs 9:00 a.m. to 12:00 p.m. and 1:30 p.m. to 4:30 p.m. Although trial will not be in session on Fridays, the Jury will be required to deliberate on Fridays if the case has already been submitted to them. Jury fees are due at the end of each week and will be summarized through billing statements provided by the courtroom clerk.

#### **Construction Defect Cases:**

**E-file:** A construction defect action is designated as a mandatory Electronic Filing Case and is governed by General Order 010121-22(A). The electronic filing requirements must be adhered to. Note the requirement of courtesy copies in the E-File Courtesy Copy Reference Guide.

**Case Management Order:** Unless otherwise ordered, counsel are to prepare a Case Management Order using the standardized CMO available on the Court's website. A CMO is not required if the case is not complex as defined in California Rules of Court, rule 3.400.

**CMO Timelines:** The Court calendars the following events at the corresponding times for construction defect cases: Status Conference 10:30 a.m. Case Management Conference 9:30 a.m. Trial Readiness Conference 1:30 p.m. Trial Call 1:30 p.m.

**Naming new parties:** The CMO shall designate a date by which all new parties are to be named.

**Trial and Trial Readiness Conference:** The CMO shall designate a date for both the Trial and Trial Readiness Conference.

## [Advanced Trial Review Order for Department 74](#)

### [Trial Requirements for Department 74](#)