Index

ABSENCE OF EVIDENCE OR WITNESS

Continuance of trial (absence of evidence or witness), motion for, **32:1 to 32:4**

ADDITIONAL DISCOVERY

Generally, 55:1 to 55:4

ADDITUR

Generally, 103A:1 to 103A:4
Conditional order (proposed),
103A:4
Declaration, 103A:3

Memorandum, 103A:2
Notice of motion, 103A:1

ADJUDICATION

See index heading Summary Judgment or Adjudication

ADMINISTRATIVE MANDATE

Petition for writ of, 16N:1

ADMINISTRATIVE REMEDIES, EXHAUSTION

Demurrer based on failure to exhaust generally, 50A:1 to 50A:4 declaration, 50A:3

memorandum, **50A:2**notice of hearing on demurrer and demurrer, **50A:1**order (proposed), **50A:4**

ADMISSION OF EVIDENCE

Motion to deem matters admitted (genuineness of documents), 73:1 to 73:4

ADMISSIONS

Extension of time to respond to requests for admission, motion, **75A:1** to **75A:4**

Further responses to requests for admissions, memorandum of points and authorities in sup-

ADMISSIONS—Cont'd

port of, motion to compel generally, **74:1 to 74:5** declaration, **74:3** memorandum, **74:2** notice of motion and motion, **74:1**

order (proposed), **74:5** separate statement, **74:4** Withdraw or amend, motion

Vithdraw or amend, motion generally, **75:1 to 75:4** declaration, **75:3** memorandum, **75:2** notice of motion and motion, **75:1**

order (proposed), 75:4

AMENDMENT OF ANSWER

Order granting leave to amend answer to allege applicable subdivision for statute of limitations affirmative defense, motion

generally, 47B:1 to 47B:4 declaration, 47B:3 memorandum, 47B:2 notice of motion and motion, 47B:1 order (proposed), 47B:4

AMENDMENT OF COMPLAINT

Conform to proof at trial, motion for order granting leave to amend

generally, 99:1 to 99:4 declaration, 99:3 memorandum, 99:2 notice of motion and motion, 99:1

order (proposed), 99:4
Correction of error, motion to amend complaint / pleading generally, 46:1 to 46:4 declaration, 46:3 memorandum, 46:2

order (proposed), 48A:4

See index heading STRATEGIC

LAWSUIT AGAINST PUBLIC

ANTI-SLAPP MOTION

PARTICIPATION

AMENDMENT OF COMPLAINT AMENDMENTS—Cont'd —Cont'd Motion to withdraw or amend Correction of error, motion to admissions. See index headamend complaint / pleading ing Admissions Pleadings. See index heading –Cont'd **PLEADINGS** notice of motion and motion, 46:1 **ANSWERS** order (proposed), 46:4 Compel answers and production of Fictitiously named party addition, documents at deposition, motion for order granting motion leave to amend generally, 65:1 to 65:5 generally, 47A:1 to 47A:4 declaration, 65:3 declaration, 47A:3 memorandum, 65:2 memorandum, 47A:2 notice of motion and motion, notice of motion and motion, 65:1 47A:1 order (proposed), 65:5 order (proposed), 47A:4 separate statement, 65:4 Motion, PAGA plaintiff, 47A:1 Compel answers to interrogatories, Plaintiff's failure to amend followmotion ing (sustaining of demurrer generally, 68:1 to 68:4 and/or granting of motion to declaration, 68:3 strike), motion to dismiss memorandum, 68:2 generally, 87:1 to 87:4 notice of motion and motion, declaration, 87:3 68:1 memorandum, 87:2 order (proposed), 65:5 notice of motion and motion, Filing late answers, motion 87:1 generally, **46A:1** to **46A:4** order (proposed), 87:4 declaration. 46A:3 Punitives against healthcare memorandum, 46A:2 provider, etc. addition, order (proposed), 46A:4 motion to amend complaint Strike answer and enter generally, 47:1 to 47:4 defendant's default, motion declaration, 47:3 generally, **52:1 to 52:3** memorandum, 47:2 memorandum, 52:2 notice of motion and motion, notice of motion and motion, 52:1 47:1 order (proposed), 52:3 order (proposed), 47:4 Supplemental, motion for leave to **AMENDMENTS** file Answers. See index heading generally, 48A:1 to 48A:4 AMENDMENT OF ANSWER declaration, 48A:3 Complaints. See index heading memorandum, 48A:2 AMENDMENT OF COMPLAINT notice of motion and motion. Failure to amend. See index head-48A:1

Index-2

INGS

ing Amendment of Complaint

ing non-resident plaintiff to file an undertaking to amend.

See index heading UNDERTAK-

Judgment, motion for order requir-

APPEARANCE

Attorney pro hac vice, application

Consolidation of separate proceedto appear as, **38:1 to 38:3** ings, motion for-Cont'd Continuance of trial (absence of order (proposed), 96C:4 evidence or witness), motion for, **32:1 to 32:4** Continuation of arbitration, motion APPOINTMENT OF generally, 93A:1 to 93A:4, 93:1 ARBITRATORS to 93:4 See Arbitrators and Arbitration declaration generally, 93:3 APPOINTMENT OF REFEREE unavailability of essential Discovery, motion witnesses, 93A:3 generally, 62B:1 to 62B:4 vacating arbitration award, declaration, 62B:3 96A:3 memorandum, 62B:2 memorandum notice of motion and motion. generally, 93:2 62B:1 unavailability of essential order (proposed), 62B:4 counsel, 93B:1 Non-discovery, motion unavailability of essential generally, 9A:1 to 9A:4 witnesses, 93A:2 declaration, 9A:3 vacating arbitration award, memorandum, 9A:2 96A:2 notice of motion and motion, notice of motion and motion 9A:1 generally, 93:1 order (proposed), 9A:4 vacating arbitration award, ARBITRATORS AND 96A:1 **ARBITRATION** order (proposed) Compelling arbitration, petition generally, 93:4 generally, 92:1 to 92:4 unavailability of essential memorandum, 92:3 witnesses, 93A:4 notice of hearing on petition, vacating arbitration award, 92:1 96A:4 order (proposed), 92:4 substitution of attorney, 93C:1 petition, 92:2 vacating arbitration award, gen-Confirmation of arbitration award, erally, **96A:1** to **96A:4** petition Correction of arbitration award, generally, 94:1 to 94:4 petition memorandum, 94:3 generally, 95:1 to 95:4 notice of hearing on petition, memorandum, 95:3 94:1 notice of hearing on petition, order (proposed), 94:4 95:1 petition, 94:2 order (proposed), 95:4 Consolidation of separate proceedpetition, 95:2 ings, motion for Disqualification of arbitrator generally, 96C:1 to 96C:4 (contractual arbitration), motion declaration, 96C:3 generally, 2:1 to 2:4 memorandum, 96C:2 declaration, 2:3 notice of motion and motion, 96C:1 memorandum, 2:2

ARBITRATORS AND

ARBITRATION—Cont'd

ARBITRATORS AND ASSOCIATIONS ARBITRATION—Cont'd Service of summons (defective Disqualification of arbitrator notice to corporation or (contractual arbitration), association), motion to quash, 44:1 to 44:4 motion-Cont'd notice of motion and motion, ATTACHMENT WRIT 2:1 Application for, 16G:1, 16G:2 order (proposed), 2:4 Right to attach order and writ of Disqualification of arbitrator application, notice of applica-(judicial arbitration), motion tion and hearing generally, **3:1 to 3:4** application, 16G:2 declaration, 3:3 notice, 16G:1 memorandum, 3:2 notice of motion and motion, **ATTENDANCE** 3:1 Compulsion of attendance and order (proposed), 3:4 production of documents at Exemption from judicial arbitradeposition, motion tion, motion generally, 63:1 to 63:5 generally, 96B:1 to 96B:4 declaration, 63:3 declaration, 96B:3 memorandum, 63:2 memorandum, 96B:2 notice of motion and motion, order (proposed), 96B:4 63:1 Extension of time to complete order (proposed), 63:5 discovery prior to arbitration separate statement, 63:4 (or to reopen discovery after arbitration award), motion, ATTORNEY DECLARATIONS 60:1 to 60:4 Relief from default / judgment / Intervene, motion to, party to dismissal (mandatory-atarbitration agreement torney declaration of fault), generally, 92A:1 to 92A:4 motion for, 13:1 to 13:4 memorandum, 92A:2 Trial setting preference, motion motion and notice of, 92A:1 for, **97:3** order (proposed), 92A:4 ATTORNEY PRO HAC VICE Stay of action (pending Application to appear as contractual arbitration), generally, 38:1 to 38:3 motion, 22:1 to 22:4 application, 38:2 Vacation of arbitration award notice of hearing on application, generally, 96:1 to 96:4 38:1 continuance, denial of, generally, 96A:1 to 96A:4 order (proposed), 38:3 memorandum ATTORNEYS generally, 96:3 Application to appear as attorney denial of continuance, 96A:3 pro hac vice, 38:1 to 38:3 misconduct of arbitrator, 96C:1 Disqualifying counsel order, notice of hearing on petition motion, 1A:1 to 1A:4, 1:1 to generally, 96:1 denial of continuance, 96A:1 Fees. See index heading order (proposed) ATTORNEYS' FEES generally, 96:4 Law firms. See index heading Law

FIRMS

denial of continuance, 96A:4

ATTORNEYS-Cont'd

Relief from default / judgment / dismissal (mandatory-attorney declaration of fault), motion, 13:1 to 13:4

Trial setting preference, attorney declarations, motion, **97:3**

ATTORNEYS' FEES

Private attorney general doctrine, motion for attorneys' fees based on

generally, 90F:1 to 90F:4 declaration, 90F:3 memorandum, 90F:2 notice of motion and motion, 90F:1

order (proposed), 90F:4

AUTHORITIES

Support of motion to compel further responses to requests for admissions, memorandum of points and authorities, **74:1 to 74:5**

AWARD

Completion of discovery prior to arbitration (or to reopen discovery after arbitration award), motion for extension of time, **60:1** to **60:4**

BIFURCATION OF EVIDENCE

Defendant's profits or financial condition

ex parte application for order generally, **21B:1** declaration, **21B:3** memorandum, **21B:2** [proposed] order, **21B:4**

BIFURCATION OF STATUTE OF LIMITATIONS

Medical malpractice
generally, 21C:1 to 21C:4
declaration, 21C:3
memorandum, 21C:2
notice of motion and motion,
21C:1
order (proposed), 21C:4

BIFURCATION OF TRIAL

Prior separate trial on liability generally, 21:1 to 21:4 declaration, 21:3 memorandum, 21:2 notice of motion and motion, 21:1 order (proposed), 21:4

CHALLENGES

Peremptory challenge to judge, 9:1, 9:2

CLASS ACTIONS

Certification of class, motion generally, 16D:1 to 16D:4 declaration, 16D:3 memorandum, 16D:2 notice, 16D:1 order (proposed), 16D:4 Class settlement generally, 16F:1 to 16F:4 declaration, 16F:3 memorandum, 16F:2 notice of motion and motion, 16F:1 order (proposed), 16F:4 Decertification of class, motion generally, 16E:1 to 16E:4

order (proposed), 16F:4
Decertification of class, motion generally, 16E:1 to 16E:4 declaration, 16E:3 memorandum, 16E:2 notice, 16E:1 order (proposed), 16E:4

CLASSIFICATION

Reclassification of action (limited jurisdiction), motion, 29B:1 to 29B:4

COMMENCEMENT OF ACTION

Conducting discovery prior to, motion generally, **56:1** to **56:4** memorandum, **56:3** notice of motion and motion, **56:1** order (proposed), **56:4** petition, **56:2**

COMPLAINTS

Amendment of complaint (add punitives against healthcare

COMPLAINTS—Cont'd

provider, etc.), motion for, 47:1 to 47:4

Amendment of complaint / pleading (correction of error), motion for, **46:1 to 46:4**

COMPLETION OF DISCOVERY

Extension of time for completing discovery

hearing discovery motions (and / or to reopen discovery after new trial date), motion for, **59:1 to 59:4**

prior to arbitration (or to reopen discovery after arbitration award), motion for, **60:1** to **60:4**

COMPLEX CASES

Coordination of cases motion to submit petition for, 19:1 to 19:4

petition for, **20:1 to 20:4**Transfer and consolidation of cases (non-complex cases), motion for, **18:1 to 18:4**

COMPLIANCE

Deposition subpoena, motion to compel compliance with, **64:1 to 64:5**

Inspection demands, motion to compel compliance with, 72:1 to 72:4

Physical examination motion to compel compliance with demand for, **76:1 to 76:5**

sanctions for unsuccessful motion to compel, motion for, **76A:1** to **76A:4**

CONDITIONAL SETTLEMENT

Motion for order setting aside dismissal (or maintaining case on civil active status) following conditional settlement, **90A:1 to 90A:4**

CONFERENCE

Motion for order to set mandatory settlement conference, 107:1 to 107:4

CONSOLIDATION OF CASES

Generally, 17:1 to 17:4

Declaration, 17:3

Memorandum, 17:2

Non-complex cases, motion for transfer and consolidation of cases, **18:1 to 18:4**

Notice of motion and motion, **17:1** Order (proposed), **17:4**

Transfer and consolidation, **18:1** to **18:4**, **26:1** to **26:4**

CONSUMER RECORDS

Deposition subpoena for consumer or employee records, motion to quash or modify, **67:1** to **67:5**

CONTEMPT

Application for order of generally, **9F:1** to **9F:5** application, **9F:2** declaration, **9F:4** memorandum, **9F:3** notice, **9F:1** order (proposed), **9F:5**

CONTINUANCE OF ARBITRATION

See index heading Arbitrators
AND Arbitration

CONTINUANCE OF HEARING

Ex parte application to continue hearing on motion for summary judgment generally, 81A:1 to 81A declaration, 81A:3 memorandum, 81A:2

notice of motion and motion, 81A:1

order (proposed), 81A:4

CONTINUANCE OF TRIAL

Absence of evidence or witness generally, 32:1 to 32:4 declaration, 32:3 memorandum, 32:2 notice of motion and motion, 32:1 order (proposed), 32:4

CONTINUANCE OF TRIAL -Cont'd

Amendment of pleadings generally, 33:1 to 33:4 declaration, 33:3 memorandum, 33:2 notice of motion and motion, 33:1 order (proposed), 33:4

General form

generally, 31:1 to 31:4 declaration, 31:3 memorandum, 31:2 notice of motion and motion, 31:1

order (proposed), 31:4

Opposition to motion for summary judgment (or, in the alternative, for summary adjudication) based on request for continuance to obtain additional essential evidence, 81:1 to 81:4

CONTRACTUAL **ARBITRATION**

Disqualification of arbitrator (contractual arbitration), motion for, 2:1 to 2:4 Stay of action (pending

contractual arbitration), motion for, 22:1 to 22:4

CONTRIBUTIONS

Motion for contribution, 105B:1 to 105B:4

declaration, 105B:3 memorandum, 105B:2 order (proposed), 105B:3

CONVENIENCE OF WITNESSES

Transfer of action (convenience of witnesses / ends of justice), motion for. 29:1 to 29:4

COORDINATION OF CASES

Complex cases, petition generally, 20:1 to 20:4 declaration, 20:3 memorandum, 20:2

COORDINATION OF CASES -Cont'd

Complex cases, petition—Cont'd notice of submission of petition, 20:1

petition, 20:4

Stay pending coordination generally, 20A:1 to 20A:4 declaration, 20A:3 memorandum, 20A:2 notice of motion and motion,

20A:1

order (proposed), 20A:4 Submission of petition for coordination of cases (complex cases), motion generally, 19:1 to 19:4 declaration, 19:3 memorandum, 19:2 notice of motion and motion, 19:1

order (proposed), 19:4

CORPORATIONS

Service of summons (defective notice to corporation or association), motion to quash, 44:1 to 44:4

CORRECTION OF ERROR

Amendment of complaint / pleading (correction of error), motion for. 46:1 to 46:4

COST OR SANCTIONS

Attorneys' fees. See index heading ATTORNEYS' FEES

Bad faith actions under Tort Claims Act, defense costs generally, 90E:1 to 90E:4 declaration, 90E:3 memorandum. 90E:2 notice of motion, 90E:1 order (proposed), 90E:4

Code Civ. Proc. § 128.7, motion for sanctions

generally, 90:1 to 90:4 declaration, 90:3 memorandum, 90:2 notice of motion and motion, 90:1 order (proposed), 90:4

for, 40:1 to 40:4

COST OR SANCTIONS—Cont'd COST OR SANCTIONS—Cont'd Deposition, failure to attend, Order setting aside dismissal (or 63B:1 maintaining case on civil active status) following Deposition, motion for sanctions conditional settlement, for failure to of deponent to motion generally, 90A:1 to 90A:4 generally, 63A:1 to 63A:4 declaration, 90A:3 declaration, 63A:3 memorandum. 90A:2 memorandum, 63A:2 notice of motion and motion, notice of motion and motion, 90A:1 63A:1 proposed, 63A:4 order (proposed), 90A:4 Relief from costs, motion for, trial Failure to comply with Local de novo Rule, motion for sanctions generally, 90C:1 to 90C:4 generally, 90G:1 to 90G:4 declaration, 90G:3 declaration, 90C:3 memorandum. 90C:2 memorandum, 90G:2 notice of motion and motion, notice of motion and motion, 90C:1 90G:1 order (proposed), 90G:4 order (proposed), 90C:4 Spoliation of evidence. See index General discovery sanctions, heading Spoliation of Evimotion DENCE generally, 91:1 to 91:5 Stay action (as discovery sancdeclaration, 91:3 tion), motion memorandum, 91:2 generally, 25:1 to 25:4 notice of motion and motion, declaration, 25:3 91:1 memorandum, 25:2 order (proposed), 91:5 notice of motion and motion, separate statement (for issue or 25:1 evidentiary sanctions), order (proposed), 25:4 91:4 Strike and/or tax costs, motion Interrogatories, motion for sancgenerally, 90B:1 to 90B:4 tion for failure to provide further responses to declaration, 90B:3 generally, 91C:1 to 91C:4 memorandum, 90B:2 declaration, 91C:3 notice of motion and motion. memorandum. 91C:2 90B:1 order (proposed), 90B:4 notice of motion and motion. 91C:1 Travel limits for deposition, motion to increase, 66:1 to order (proposed), 91C:5 66:4 separate statement of issues, Violation of court order, motion 91C:4 for sanctions Motion for sanctions generally, 91A:1 to 91A:4 generally, 90D:1 to 90D:4 delcaraiton, 91A:3 declaration, 90D:3 memorandum, 91A:2 memorandum, 90D:2 order (proposed), 91A:4 notice of motion, 90D:1 order (proposed), 90D:4 COURT RECORDS unsuccessful motion to compel Sealing of court records, motion

interrogatories, 69:5

COURT RECORDS—Cont'd

Unsealing of court records, motion for, **40A:1** to **40A:4**

CROSS COMPLAINT

Motion to file
declaration, 46C:3
memorandum, 46C:2
notice of motion and motion,
46C:1
order (proposed), 46C:4

DAMAGES

Additur. See index heading
ADDITUR
Punitive damages claim, motion to strike
generally, 52A:1 to 52A:4
declaration, 52A:3
memorandum, 52A:2
notice of motion and motion,
52A:1
order (proposed), 52A:4
Remittitur. See index heading

DEFAULT

REMITTITUR

Defective notice, motion for relief from default / judgment, 11:1 to 11:4

Improper venue, motion for relief from default / judgment, 12:1 to 12:4

Mandatory-attorney declaration of fault, motion for relief from default / judgment / dismissal, 13:1 to 13:4

Strike answer and enter defendant's default, motion to, **52:1 to 52:3**

Vacation of default judgment on equitable grounds

generally, 10A:1 to 10A:4 declaration, 10A:3 memorandum, 10A:2 notice of motion and motion, 10A:1

order (proposed), 10A:4

DEFECTIVE NOTICE

Relief from default / judgment (defective notice), motion for, 11:1 to 11:4

DEFECTIVE NOTICE—Cont'd

Service of summons. See index heading Service of Summons

DEMANDS

Compliance, motion to compel demand for physical examination, **76:1 to 76:5** inspection demands, **72:1 to 72:4**

Responses

further responses to inspection demands, motion to compel, 71:1 to 71:5

relief from waiver of opposition for late response to demand for, motion, **76B:1** to **76B:4**

responses

inspection demands, motion to compel, **70:1 to 70:4** supplemental inspection demands, motion to compel, **72B:1 to 72B:4**

DEMURRER

Generally, **50:1 to 50:4**Amendment of pleadings after demurrer sustained, **50C:1 to 50C:4**

Declaration

amendment of pleadings after demurrer sustained, 50C:3 failure to exhaust administrative remedies, 50A:3 notice of hearing on demurrer and demurrer, 50:3 strike, notice of motion to strike, 50B:3

Dismissal motion for plaintiff's failure to amend following (sustaining of demurrer and/or granting of motion to strike), 87:1 to 87:4

Failure to exhaust administrative remedies, **50A:1** to **50A:4**

Memorandum

amendment of pleadings after demurrer sustained, 50C:2 failure to exhaust administrative remedies, 50A:2

DEMURRER—Cont'd DEPOSITIONS—Cont'd Compliance with deposition Memorandum—Cont'd notice of hearing on demurrer subpoena, motion to compel and demurrer, 50:2 -Cont'd strike, notice of motion to notice of motion and motion strike. 50B:2 —Cont'd Notice electronically stored information, 64A:1 generally, 50:1 order (proposed) amendment of pleadings after generally, 64:5 demurrer sustained, 50C:1 electronically stored informafailure to exhaust administrative tion, 64A:5 remedies, 50A:1 separate statement strike, notice of motion to generally, 64:4 strike, **50B:1** electronically stored informa-Order (proposed) tion, 64A:4 amendment of pleadings after Electronically stored information, demurrer sustained, 50C:4 motion for protective order re failure to exhaust administrative production of at deposition, remedies, 50A:4 57B:1 to 57B:4 notice of hearing on demurrer Increasing travel limits for deposiand demurrer, 50:4 tion, motion, **66:1** to **66:4** strike, notice of motion to Motion for sanctions for failure to strike, 50B:4 of deponent to attend, 63A:1 Sample motions for enlargement to 63A:4 of time, 46C:1 to 46C:4 Motion to stay deposition and Strike demurrer, sample motion, quash deposition notice, 62:1 50B:1 to 50B:4 to 62:5 Quash or modify deposition **DEPOSITIONS** subpoena for consumer or Answers and production of docuemployee records, motion ments at deposition, motion generally, **67:1** to **67:5** to compel, 65:1 to 65:5 declaration, 67:3 Attendance and production of memorandum, 67:2 documents at deposition, notice of motion and motion. motion to compel, 63:1 to 67:1 63:5 order (proposed), 67:5 Compliance with deposition separate statement, 67:4 subpoena, motion to compel Sanctions against noticing party generally, 64A:1 to 64A:5, 64:1 for failure to attend, 63B:1 to 64:5 Scheduling time, shorten or extend declaration generally, 56B:1 to 56B:4 generally, 64:3 electronically stored informadeclaration, 56B:3 tion, 64A:3 memorandum, 56B:2 memorandum notice of motion, 56B:1 generally, 64:2 order (proposed), 56B:4 Subsequent deposition, motion electronically stored information. 64A:2 generally, 66A:1 to 66A:4 notice of motion and motion declaration, 66A:3 generally, 64:1 memorandum, 66A:2

DEPOSITIONS—Cont'd

Subsequent deposition, motion -Cont'd notice of motion, 66A:1 order (proposed), 66A:4 Time limits for deposition, motion to increase generally, **66B:1** to **66B:4** declaration, 66B:3 memorandum, 66B:2

DIRECTED VERDICT

Generally, 101:1 to 101:4 Declaration, 101:3 Memorandum, 101:2 Notice of motion and motion, 101:1

Order (proposed), 101:4

order (proposed), 66B:4

DISCLOSURE

See index heading Inadvertent DISCLOSURE OF PRIVILEGED Information

DISCOVERY

Additional discovery (limited-or alternatively to withdraw case from economic litigation), motion generally, 55:1 to 55:4 declaration, 55:3 memorandum, 55:2 notice of motion and motion, 55:1 order (proposed), 55:4

Admissions. See index heading ADMISSIONS Answers interrogatories, motion to compel, 68:1 to 68:4 production of documents at deposition, motion to compel, 65:1 to 65:5 Anti-slapp motion. See index heading Strategic Lawsuit AGAINST PUBLIC PARTICIPATION

Attendance and production of documents at deposition, motion to compel, 63:1 to 63:5

DISCOVERY—Cont'd

Commencement of action, motion to conduct discovery prior to, 56:1 to 56:4

Compelling discovery of medical reports, motion for order, 77C:1 to 77C:4

Conducting discovery prior to commencement of action. motion, 56:1 to 56:4

Depositions. See index heading **DEPOSITIONS**

Dismiss action for failure to obey discovery orders, motion, 88:1 to 88:4

Electronically stored information, motion to compel, 70A:1 to 70A:5

Extension of time. See index heading Extension of Time

Genuineness of documents, motion to deem matters admitted, 73:1 to 73:4

Inspection demands, responses. See index heading **DEMANDS**

Interrogatories. See index heading Interrogatories

Leave to propound additional supplemental discovery, motion

generally, 55A:1 to 55A:4 declaration, 55A:3 memorandum, 55A:2 order (proposed), 55A:4

Memorandum of points and authorities in support of motion to compel further responses to requests for admissions, 74:1 to 74:5

Motion not to serve copy of interrogatories on other parties, 54B:1

Motion to propound discovery at earlier time, 56C:1

Pretrial discovery of defendant's profits and financial condition, motion, 77D:1 to 77D:4

Production of documents. See index heading Production of **DOCUMENTS**

DISCOVERY—Cont'd DISMISSAL AND SETTLEMENT Protective order (limiting -Cont'd discovery of defendant's Failure of plaintiff to serve sumprofits and financial status), mons within three years, motion, 61:1 to 61:4 motion to dismiss generally, 85:1 to 85:4 Protective orders, see index heading Protective Orders declaration, 85:3 Protective orders (general form). memorandum, 85:2 motion for protective order. notice of motion and motion, 57:1 to 57:4 85:1 electronically stored informaorder (proposed), 85:4 tion, 57A:1 to 57A:4, Failure to obey discovery orders, 57B:1 to 57B:4 motion to dismiss Relief from waiver of objections. generally, 88:1 to 88:4 motion for. 58:1 to 58:4 declaration, 88:3 Sanctions, stay of action (as memorandum, 88:2 discovery sanction), motion notice of motion and motion, for, 25:1 to 25:4 88:1 Stav of action (as discovery sancorder (proposed), 88:4 tion), motion, 25:1 to 25:4 Failure to prosecute case within Stay of deposition and quash time periods prescribed by deposition notice, motion for, statute, motion to dismiss 62:1 to 62:5 generally, 84:1 to 84:4 Travel limits for deposition, declaration, 84:3 motion to increase, 66:1 to memorandum, 84:2 66:4 notice of motion and motion, 84:1 DISMISSAL AND SETTLEMENT order (proposed), 84:4 Class settlement Inconvenient forum, motion to generally, 16F:1 to 16F:4 dimiss declaration, 16F:3 generally, 86:1 to 86:4 memorandum. 16F:2 declaration, 86:3 notice of motion and motion, memorandum, 86:2 16F:1 notice of motion and motion, order (proposed), 16F:4 86:1 Determination of good faith settleorder (proposed), 86:4 ment, motion Local/state rules of court violagenerally, 82:1 to 82:4 tion, motion to dismiss declaration, 82:3 generally, 89:1 to 89:4 memorandum, 82:2 declaration, 89:3 notice of motion and motion, memorandum, 89:2 82:1 notice of motion and motion, order (proposed), 82:4 89:1 Enforcing settlement, motion order (proposed), 89:4 generally, 83:1 to 83:4 Mandatory settlement conference, declaration, 83:3 motion for order to set generally, 107:1 to 107:4 memorandum, 83:2 declaration, 107:3 notice of motion and motion, 83:1 memorandum, 107:2 order (proposed), 83:4 motion to be excused, 107A:1

DISMISSAL AND SETTLEMENT

-Cont'd

Mandatory settlement conference, motion for order to set

—Cont'd

notice of motion and motion, **107:1**

order (proposed), 107:4

PAGA, approval, 82A:1

Plaintiff's failure to amend following (sustaining of demurrer and/or granting of motion to strike), dismissal motion

generally, 87:1 to 87:4

declaration, 87:3

memorandum, 87:2

notice of motion and motion, **87:1**

order (proposed), 87:4

Relief from dismissal

generally, 10B:1 to 10B:4 declaration, 10B:3

mandatory-attorney declaration of fault, 13:1 to 13:4

memorandum, 10B:2

notice of motion and motion,

10B:1

order (proposed), **10B:4** validity of service subject of litigation, **10F:1**

Setting aside dismissal (or maintaining case on civil active status) following conditional settlement, motion for order

generally, 90A:1 to 90A:4

declaration, 90A:3

memorandum, 90A:2

notice of motion and motion, 90A:1

order (proposed), 90A:4

DISPOSITION TIME GOALS

Exemption of action from case disposition time goals, motion for, **30:1** to **30:4**

DISQUALIFICATION

Arbitrator (contractual arbitration), motion for disqualification of, **2:1 to 2:4**

DISQUALIFICATION—Cont'd

Arbitrator (judicial arbitration), motion for disqualification of, 3:1 to 3:4

Judge, motion for disqualification of, **8A:1** to **8A:5**, **8C:1**

Order disqualifying counsel, motion for

generally, **1A:1** to **1A:4**, **1:1** to **1:4**

declaration, 1A:3, 1:3

inadvertent disclosure of privileged information,

1A:1 to 1A:4

memorandum, **1A:2**, **1:2** order (proposed), **1A:4**, **1:4**

DISSOLUTION OF MARRIAGE

Sample motions to transfer, 29A:1 to 29A:4

DOCUMENTS

Genuineness of documents, motion to deem matters admitted, 73:1 to 73:4

Memorandum of points and authorities in support of motion to compel further responses to requests for admissions, 74:1 to 74:5

ECONOMIC LITIGATION

Additional discovery (limited-or alternatively to withdraw case from economic litigation), motion for, **55:1** to **55:4**

ELECTRONICALLY STORED INFORMATION

Compelling production of electronically stored information

generally, 65A:1 to 65A:5, 70A:1 to 650:5

medical reports, **77C:1 to 77C:4**

Compliance with deposition subpoena, motion to compel, **64A:1 to 64A:5**

Conditions on production of electronically stored information

generally, 57C:1 to 57C:4

ELECTRONICALLY STORED INFORMATION—Cont'd

Conditions on production of electronically stored information—Cont'd declaration, 57C:3

memorandum, 57C:2

notice of motion and motion, 57C:1

order (proposed), 57C:4

Cost shifting for production of electronically stored information

generally, 57D:1 to 57D:4 declaration, 57D:3

memorandum, 57D:2

notice of motion and motion, 57D:1

order (proposed), 57D:4

Protective orders. See index heading Productive Orders

Spoliation of evidence. See index heading Spoliation of Evi-DENCE

EMPLOYEE RECORDS

Deposition subpoena for consumer or employee records, motion to quash or modify, 67:1 to 67:5

ENDS OF JUSTICE

Transfer of action (convenience of witnesses / ends of justice), motion for, 29:1 to 29:4

ERROR

Amendment of complaint / pleading (correction of error), motion for, 46:1 to 46:4

EVIDENCE

Continuance of trial (absence of evidence or witness), motion for, 32:1 to 32:4

Genuineness of documents, motion to deem matters admitted, 73:1 to 73:4

Motion for order granting leave to amend complaint to conform to proof at trial, 99:1 to 99:4

Motion for sanctions (general discovery sanctions), eviden-

EVIDENCE—Cont'd

tiary sanctions, 91:4

Newly discovered evidence, motion for new trial, 103D:1 to 103D:4

Opposition to motion for summary judgment (or, in the alternative, for summary adjudication) based on request for continuance to obtain additional essential evidence, 81:1 to 81:4

Spoliation of evidence. See index heading Spoliation of Evi-

EX PARTE APPLICATIONS

Continue hearing on motion for summary judgment, ex parte application to, 81A:1 to 81A:4

Extension of time. See index heading Extension of Time

Shortening time orders

generally, 15:1 to 15:3

ex parte application (declaration form), 15:1

memorandum, 15:2

[proposed] order shortening time, 15:3

Temporary restraining order and order to show cause re preliminary injunction, ex parte application for, 34:1 to 34:3

EXAMINATIONS

Motion for relief from waiver of opposition for late response to demand for physical examination, 76B:1 to 76B:4

Motion to compel compliance with demand for physical examination. **76:1 to 76:5**

Sanctions for unsuccessful motion to compel, motion for, 76A:1 to 76A:4

EXEMPTIONS

Case disposition time goals, motion for exemption of action

generally, 30:1 to 30:4 declaration, 30:3

EXEMPTIONS—Cont'd EXPERT WITNESSES—Cont'd Case disposition time goals, Excluding expert witness motion for exemption of testimony for failure to list as action-Cont'd expert, motion for-Cont'd memorandum, 30:2 order (proposed), 79A:4 notice of motion and motion, Expert witness information, 30:1 motion for protective order regarding demand for order (proposed), 30:4 generally, 78A:1 to 78A:4 **EXHAUSTION OF** declaration, 78A:3 **ADMINISTRATIVE** memorandum, 78A:2 REMEDIES notice of motion and motion, Demurrer based on failure to 78A:1 exhaust order (proposed), 78A:4 generally, 50A:1 to 50A:4 Expert's reports in other like declaration, 50A:3 cases, motion for order commemorandum, 50A:2 pelling production notice of hearing on demurrer generally, **79F:1 to 79F:4** and demurrer, 50A:1 declaration, 79F:3 order (proposed), 50A:4 memorandum, 79F:2 **EXPERT WITNESSES** notice of motion and motion, 79F:1 Augmenting expert witness infororder (proposed), 79F:4 mation, motion generally, 78:1 to 78:4 Fees, motion to set declaration, 78:3 generally, 79C:1 to 79C:4 declaration, 79C:3 memorandum, 78:2 deposition testimony notice of motion and motion, 78:1 generally, 79D:1 to 79D:4 order (proposed), 78:4 declaration, 79D:3 Court-appointed, motion memorandum, 79D:2 generally, 79E:1 to 79E:4 order (proposed), 79D:4 declaration, 79E:3 memorandum, 79C:2 memorandum, 79E:2 order (proposed), 79C:4 notice of motion, 79E:1 Sample motions to exclude order (proposed), 79E:4 testimony, 79C:1 to 79C:4 Deposition at a location beyond 75 Submission of tardy expert witmiles of courthouse, motion ness information, motion for protective order generally, 79:1 to 79:4 generally, 79F:1 to 79F:4 declaration, 79:3 declaration, 79E:3 memorandum, 79:2 memorandum, 79E:2 notice of motion and motion, notice of motion and motion. 79:1 79F:1 order (proposed), 79:4 order (proposed), 79E:4 Excluding expert witness EXPUNGE NOTICE OF testimony for failure to list as PENDENCY OF ACTION expert, motion for Generally, 16L:1 to 16.J:5 generally, 79A:1 to 79A:4 Conditionally expunging declaration, 79A:3 (proposed), 16L:5

memorandum, 79A:2

Declaration, 16L:3

statute, 84:1 to 84:4

EXTENSION OF TIME—Cont'd EXPUNGE NOTICE OF PENDENCY OF ACTION General form of ex parte—Cont'd -Cont'd order (proposed), 7:4 Memorandum, 16L:2 Interrogatories, time to respond Order (proposed), 16L:4 generally, 69A:1 to 69A:5 declaration, 69A:3 **EXTENSION OF TIME** memorandum, 69A:2 Discovery (general form), time to notice of motion and motion. respond 69A:1 generally, 69A:1 to 69A:4 order (proposed), 69A:4 declaration, 69A:3 Motion for extension of time, genmemorandum, 69A:2 erally notice of motion and motion, generally, 6:1 to 6:4 69A:1 declaration, 6:3 order (proposed), 69A:4 memorandum, 6:2 Discovery completion and have discovery motions heard (and notice of motion and motion, / or to reopen discovery after 6:1 new trial date) order (proposed), 6:4 generally, 59:1 to 59:4 Requests for admission, time to declaration, 59:3 respond memorandum, 59:2 generally, **75A:1** to **75A:4** notice of motion and motion, declaration, 75A:3 59:1 memorandum, 75A:2 order (proposed), 59:4 notice of motion and motion, Discovery completion prior to 75A:1 arbitration (or to reopen order (proposed), 75A:4 discovery after arbitration Time to plead, generally award) generally, 14:1 to 14:3 generally, 60:1 to 60:4 ex parte application (declaration declaration, 60:3 form), 14:1 memorandum. 60:2 memorandum, 14:2 notice of motion and motion. order (proposed), 14:3 60:1 order (proposed), 60:4 FAILURE TO AMEND Ex parte application Motion to dismiss for plaintiff's 15-day extension, time to plead, failure to amend following below (sustaining of demurrer general form of ex parte, below and/or granting of motion to time to plead, below strike), 87:1 to 87:4 15-day extension, time to plead **FAILURE TO LIST** generally, 14A:1 to 14A:4 notice to court, 14A:3 Excluding expert witness testimony for, 79A:1 to order (proposed), 14A:4 79A:4 points and authorities, 14A:2 General form of ex parte FAILURE TO PROSECUTE generally, 7:1 to 7:4 Motion to dismiss action for failapplication, 7:1 ure to prosecute case within declaration, 7:3 time periods prescribed by

memorandum, 7:2

FAILURE TO SERVE SUMMONS

Motion to dismiss action on ground of plaintiff's failure to serve summons within three years, **85:1** to **85:4**

FEDERAL QUESTION JURISDICTION

Notice of removal, 40B:2

FICTITIOUSLY NAMED PARTY

Order granting leave to amend complaint to add, motion for generally, 47A:1 to 47A:4 declaration, 47A:3 memorandum, 47A:2 notice of motion and motion, 47A:1 order (proposed), 47A:4

FILING

Government claims filing requirements, petition for relief from generally, 39:1 to 39:5 interpleader of funds, motion to file, 49:1 to 49:4 mistake/inadvertence generally, **39A:1 to 39A:5** declaration, 39A:4 memorandum, 39A:3 notice of hearing on petition, 39A:1 order (proposed), 39A:5 petition, 39A:2 supplemental pleading, motion to file. 48:1 to 48:4 Transfer of action (filed in wrong court), motion for, 27:1 to 27:4

FINANCIAL STATUS

Pretrial discovery of defendant's profits and financial condition, motion, **77D:1** to **77D:4**Protective order (limiting discovery of defendant's profits and financial status), motion for, **61:1** to **61:4**

FOREIGN JURISDICTION

Stay of action (action pending in foreign jurisdiction), motion

FOREIGN JURISDICTION

—Cont'd for, 23:1 to 23:4

FORUM

See index heading Inconvenient Forum

FUNDS

Interpleader of funds, motion to file, **49:1** to **49:4**

FURTHER RESPONSES

Responses to inspection demands, motion to compel further, 71:1 to 71:5

Responses to interrogatories, motion to compel further, **69:1 to 69:5**

GENERAL DISCOVERY SANCTIONS

Motion for sanctions (general discovery sanctions), **91:1 to 91:5**

GENUINENESS OF DOCUMENTS

Motion to deem matters admitted as genuine generally, 73:1 to 73:4 declaration, 73:3 memorandum, 73:2 notice of motion and motion, 73:1 order (proposed), 73:4

GOOD FAITH

Motion for determination of good faith settlement, **82:1 to 82:4**

GOVERNMENT CLAIMS FILING REQUIREMENTS

Petition for relief from generally, 39:1 to 39:5 declaration, 39:4 memorandum, 39:3 notice of hearing on petition, 39:1 order (proposed), 39:5 petition, 39:2

GUARDIAN AD LITEM ACTIONS

Sample motions for orders rescinding, **3A:1 to 3A:4**

HEALTHCARE PROVIDERS

Amendment of complaint (add punitives against healthcare provider, etc.), motion for, **47:1 to 47:4**

HEARINGS

Continuance of trial [or hearing], motion for, **31:1** to **31:4**

Ex parte application to continue hearing on motion for summary judgment, **81A:1** to **81A:4**

Writ of attachment, application and hearing and application for right to attach order and writ of application, **16D:1**, **16D:2**

HOSPITALS

Amendment of complaint (add punitives against healthcare provider, etc.), motion for, 47:1 to 47:4

INADVERTENT DISCLOSURE OF PRIVILEGED INFORMATION

Order disqualifying counsel, motion for generally, **1A:1** to **1A:4**

declaration, 1A:3 memorandum, 1A:2

order (proposed), **1A:4**

Protective order regarding, motion for

generally, **57J:1 to 57J:4** declaration, **57J:3**

memorandum, 57J:2

order (proposed), 57J:4

INCONVENIENT FORUM

Dismiss action on ground of inconvenient forum, motion to, **86:1** to **86:4**

Stay of action (inconvenient forum), motion for, **24:1** to **24:4**

INFORMATION

Augment expert witness information, motion to, **78:1 to 78:4**Submit tardy expert witness information, motion to, **79:1 to 79:4**

INJUNCTIONS AND INJUNCTIVE RELIEF

Ex parte application for temporary restraining order and order to show cause re preliminary injunction, **34:1** to **34:3**

Order to show cause re preliminary injunction, **36:1**Preliminary injunctions, **37:1**

Temporary restraining order, 35:1

INSPECTION DEMANDS

Compliance, motion to compel generally, **72:1** to **72:4** declaration, **72:3**

memorandum, 72:3

order (proposed), 72:4

Further responses to, motion to compel

generally, **71:1 to 71:5**

declaration, 71:3

memorandum, 71:2

notice of motion and motion, 71:1

order (proposed), 71:5

separate statement, 71:4

Responses to, motion to compel

generally, 70:1 to 70:4

declaration, 70:3

further responses to, above

memorandum, 70:2

notice of motion and motion,

70:1

order (proposed), 70:4

supplemental, below

Supplemental, motion to compel

responses to

generally, 72B:1 to 72B:4

declaration, 72B:3

memorandum, 72B:2

order (proposed), 72B:4

INSUFFICIENT EVIDENCE

New trial, 103E:1

JOINDER—Cont'd
Motion for joinder
declaration, 16C:3
memorandum, 16C:2
notice of motion and motion,
16C:1
order (proposed), 16C:4
Motion for separate trials where
parties are joined, 16C:1
JUDGES
Motion for disqualification of
generally, 8A:1 to 8A:5
declaration, 8A:3
financial interests
generally, 8:1 to 8:5
declaration, 8:3
memorandum, 8:2
notice of motion and motion,
8:1
order (proposed), 8:5
verified statement by party,
8:4
memorandum, 8A:2
notice of motion and motion,
8A:1
order (proposed), 8A:5
personal knowledge, 8B:1
verified statement by party,
8A:4
Peremptory challenge to judge,
9:1, 9:2
JUDGMENT
NOTWITHSTANDING
VERDICT
Motion for
generally, 102:1 to 102:4
declaration, 102:3
memorandum, 102:2
notice of motion and motion,
102:1
order (proposed), 102:4
JUDGMENT ON THE
PLEADINGS
Motion for
generally, 53:1 to 53:4
declaration, 53:3
memorandum, 53:2
Index-19

JUDGMENT ON THE PLEADINGS—Cont'd

Motion for—Cont'd notice of motion and motion, 53:1

order (proposed), 53:4

JUDGMENTS

Motion for judgment notwithstanding verdict, 102:1 to 102:4

Motion for judgment on the pleadings, **53:1 to 53:4**

Motion for judgment pursuant to CCP 631.8, **99A:1**

Motion for order requiring nonresident plaintiff to file an undertaking to amend judgment, 16H:1 to 16H:5

Motion for relief from default / judgment (defective notice), 11:1 to 11:4

Motion for relief from default / judgment (improper venue), 12:1 to 12:4

Motion for relief from default / judgment / dismissal (mandatory-attorney declaration of fault), 13:1 to 13:4

Motion for temporary stay of enforcement of judgment,

105A:1 to 105A:4

Motion to amend, **105:1** to **105:4** Motion to vacate, **104:1** to **104:4**

Renewal of judgment, application for, **109:1**, **109:2**

Renewal of judgment, motion for order vacating, 110:1 to 110:4

Summary judgment or adjudication. See index heading Sum-MARY JUDGMENT OR ADJUDICATION

Vacation of default judgment on equitable grounds, 10A:1 to 10A:4

JUDICIAL ARBITRATION

Arbitrator (judicial arbitration), motion for disqualification of, 3:1 to 3:4

JUDICIAL NOTICE

Motion for judicial notice (general motion form with request for judicial notice)
generally, 16:1 to 16:3
declaration, 16:3
memorandum, 16:2
notice of motion and motion,
16:1

JURISDICTION

Notice of removal diversity jurisdiction, **40B:1** federal question jurisdiction, **40B:2**

Reclassification of action (limited jurisdiction), motion for, **29B:1 to 29B:4**

Service of summons (lack of jurisdiction over non-resident), motion to quash, **45:1** to **45:4**

Stay of action (action pending in foreign jurisdiction), motion for, 23:1 to 23:4

JURY TRIAL

Motion for order for view by trier of fact, **108:1** to **108:4**

Relief from waiver of, motion for order granting

generally, 98:1 to 98:4

declaration, 98:3

memorandum, 98:2

notice of motion and motion, **98.1**

order (proposed), 98:4

LIABILITY

Bifurcation (prior separate trial on liability), motion for, 21:1 to 21:4

LIMITATIONS

Motion for protective order (limiting discovery of defendant's profits and financial status), **61:1 to 61:4**

Motion to increase travel limits for deposition, **66:1** to **66:4**

LIMITED JURISDICTION

Reclassification of action (limited jurisdiction), motion for,

LIMITED JURISDICTION —Cont'd

29B:1 to 29B:4

Sample motions to reclassify limited to unlimited, **29D:1** to **29D:4**

unlimited to limited, 29C:1 to 29C:4

LOCAL RULES OF COURT

Failure to comply with motion to strike, **51A:1** to **51A:4**

sanctions, **90G:1 to 90G:4**Motion to dismiss action for violation of local/state rules of court, **89:1 to 89:4**

MANDATORY RELIEF

Relief from default / judgment / dismissal (mandatory-attorney declaration of fault), motion for, **13:1 to 13:4**

MANDATORY SETTLEMENT CONFERENCE

Motion for order to set mandatory settlement conference, 107:1 to 107:4

MEDICAL HISTORY

Protective order regarding discovery of, **57I:1 to 57I:4**

MEDICAL MALPRACTICE

Bifurcation of statute of limitations

generally, 21C:1 to 21C:4 declaration, 21C:3 memorandum, 21C:2 notice of motion and motion, 21C:1

order (proposed), 21C:4

Motion for order requiring nonresident plaintiff to file undertaking

generally, **16K:1** to **16I:5** affidavit, **16K:4**

declaration, 16K:3

memorandum, 16K:2

notice of motion and motion, 16K:1

order (proposed), 16K:5

MEDICAL REPORTS

Motion for order compelling delivery of medical reports generally, 77C:1 to 77C:4 declaration, 77C:3 memorandum, 77C:2 notice of motion and motion, 77C:1 order (proposed), 77C:4

MENTAL EXAMINATION

Leave to conduct, motion generally, 77:1 to 77:5 declaration, 77:3 memorandum, 77:2 notice of motion and motion, 77:1 order (proposed), 77:5 separate statement, 77:4

MODIFICATION

Deposition subpoena for consumer or employee records, motion to quash or modify, **67:1 to 67:5**

MOTIONS IN LIMINE

Trial and post-trial, 106:1 to 106:3

NEW TRIAL

Accident/surprise, motion for new trial

generally, 103C:1 to 103C:4 declaration, 103C:3 memorandum, 103C:2

notice of motion and motion, 103C:1

order (proposed), 103C:3

Extension of time to complete discovery and have discovery motions heard (and / or to reopen discovery after new trial date), motion for, **59:1** to **59:4**

Insufficient evidence, 103E:1
Newly discovered evidence,
motion for new trial
generally, 103D:1 to 103D:4
declaration, 103D:3
memorandum, 103D:2
notice of motion and motion,
103D:1

NEW TRIAL—Cont'd

Newly discovered evidence, motion for new trial—Cont'd order (proposed), **103D:3**

NON-COMPLEX CASES

Transfer and consolidation of cases (non-complex cases), motion for. **18:1 to 18:4**

NON-PARTY WITNESSES

Exclude form courtroom, motion to generally, 108A:1 to 108A:4 declaration, 108A:3 memorandum, 108A:2 order (proposed), 108A:4

NON-RESIDENTS

Motion for order requiring nonresident plaintiff to file an undertaking to amend judgment, 16H:1 to 16H:5

Service of summons (lack of jurisdiction over non-resident), motion to quash, **45:1** to **45:4**

NONSUIT

Motion for nonsuit generally, 100:1 to 100:4 declaration, 100:3 memorandum, 100:2 notice of motion and motion, 100:1 order (proposed), 100:4

Motion for relief from waiver of

OBJECTION

objections
generally, **58:1 to 58:4**declaration, **58:3**memorandum, **58:2**notice of motion and motion, **58:1**order (proposed), **58:4**Motion for relief from waiver of objections for late response to demand for physical examination
generally, **76B:1 to 76B:4**

declaration, 76B:3

memorandum, 76B:2

OBJECTION—Cont'd

Motion for relief from waiver of objections for late response to demand for physical examination—Cont'd notice of motion and motion,

notice of motion and motion, **76B:1**

order (proposed), 76B:4

Subpoena for records relating to alcohol or drug treatment by non-party witness, objection to

generally, **62A:1** to **62A:4** declaration, **62A:3** memorandum, **62A:2** notice, **62A:1** order (proposed), **62A:4**

ORDER TO SHOW CAUSE

Preliminary injunction, order to show cause re, **36:1**

Temporary restraining order and order to show cause re preliminary injunction, ex parte application for, 34:1 to 34:3

PARTIES

Motion to join parties declaration, **16B:3** memorandum, **16B:2** notice of motion, **16B:1**

PARTY DECLARATION

Motion for trial setting preference, **97:4**

PENDING ACTIONS

Stay of action (action pending in foreign jurisdiction), motion for, 23:1 to 23:4

Stay of action (pending contractual arbitration), motion for, **22:1 to 22:4**

PEREMPTORY CHALLENGE TO JUDGE

Generally, **9:1**, **9:2**Continuation rule, **9A:1**Order, **9:2**Peremptory challenge declaration, **9:1**

PETITIONS PHYSICAL EXAMINATION —Cont'd Arbitration. See index heading Sanctions for unsuccessful motion ARBITRATORS AND ARBITRATION to compel, motion for Coordination of cases (complex generally, **76A:1 to 76A:4** cases), motion to submit petition for, 19:1 to 19:4 declaration, 76A:3 Coordination of cases (complex memorandum, 76A:2 cases), petition for, 20:1 to notice of motion and motion, 76A:1 Government claims filing requireorder (proposed), 76A:4 ments, petition for relief **PLEADINGS** from, 39:1 to 39:5 Generally. See index heading Sum-Writ of administrative mandate, MONS AND PLEADING MOTIONS 16N:1 Ex parte application for extension Writ of mandamus, 16M:1 of time to plead, 14:1 to 14:3 PHYSICAL EXAMINATION 15-day extension, 14A:1 to Compliance with demand for. 14A:4 motion to compel Motion for amendment of comgenerally, 76:1 to 76:5 plaint / pleading (correction declaration, 76:3 of error), 46:1 to 46:4 memorandum, 76:2 Motion for continuance of trial (amendment of pleadings), notice of motion and motion, 33:1 to 33:4 76:1 Motion for judgment on the pleadorder (proposed), 76:5 ings, 53:1 to 53:4 separate statement, 76:4 Motion to amend pleadings after Leave to conduct, motion demurrer sustained, 50C:1 to generally, 77:1 to 77:5 50C:4 declaration, 77:3 Motion to file interpleader of memorandum, 77:2 funds, 49:1 to 49:4 notice of motion and motion, Motion to file supplemental plead-77:1 ing, 48:1 to 48:4 order (proposed), 77:5 Motion to strike pleading or porseparate statement, 77:4 tion of pleading Protective order, motion generally, 51:1 to 51:4 generally, 76C:1 to 76C:5 declaration, 51:3 declaration, 76C:3 memorandum, 51:2 support of monetary sancnotice of motion and motion. tions, 76C:4 51:1 memorandum, 76C:2 order (proposed), 51:4 order (proposed), 76C:5 POSSESSION, WRIT OF Relief from waiver of opposition See index heading Writ of Possesfor late response to demand SION for, motion generally, 76B:1 to 76B:4 **PREFERENCE** declaration, 76B:3 Motion for trial setting preference, memorandum, 76B:2 97:1 to 97:5 notice of motion and motion, PRELIMINARY INJUNCTIONS 76B:1

order (proposed), 76B:4

Generally, 37:1

PRELIMINARY INJUNCTIONS —Cont'd

Order to show cause re, 36:1

Temporary restraining order and order to show cause re preliminary injunction, ex parte application for, **34:1** to **34:3**

PRELIMINARY MOTIONS

Attorney pro hac vice, application to appear as, **38:1 to 38:3**

Bifurcation of trial (prior separate trial on liability), motion for, **21:1 to 21:4**

Consolidation of cases, motion for, **17:1 to 17:4**

Continuance of trial, motion for, 31:1 to 31:4

Continuance of trial (absence of evidence or witness), motion for. 32:1 to 32:4

Continuance of trial (amendment of pleadings), motion for, 33:1 to 33:4

Coordination of cases (complex cases), motion to submit petition for, **19:1 to 19:4**

Coordination of cases (complex cases), petition for, **20:1** to **20:4**

Exemption of action from case disposition time goals, motion for, **30:1** to **30:4**

Government claims filing requirements, petition for relief from, **39:1** to **39:5**

Preliminary injunction, order to show cause re, **36:1**

Preliminary injunctions, motion for, **37:1**

Reclassification of action (limited jurisdiction), motion for, 29B:1 to 29B:4

Sealing of court records, motion for, **40:1 to 40:4**

Stay of action (action pending in foreign jurisdiction), motion for, 23:1 to 23:4

Stay of action (as discovery sanction), motion for, **25:1 to 25:4**

PRELIMINARY MOTIONS —Cont'd

Stay of action (inconvenient forum), motion for, 24:1 to 24:4

Stay of action (pending contractual arbitration), motion for, **22:1 to 22:4**

Temporary restraining order, motion for, **35:1**

Temporary restraining order and order to show cause re preliminary injunction, ex parte application for, 34:1 to 34:3

Transfer and consolidation of cases (non-complex cases), motion for, **18:1 to 18:4**

Transfer of action (convenience of witnesses / ends of justice), motion for, **29:1 to 29:4**

Transfer of action (filed in wrong court), motion for, **27:1** to **27:4**

Transfer of action (transfer and consolidation), motion for, **26:1 to 26:4**

PRETRIAL DISCOVERY

Defendant's profits and financial condition, motion declaration, 77D:3 memorandum, 77D:2 notice, 77D:1 order (proposed), 77D:4

PRIOR ACTIONS

Bifurcation (prior separate trial on liability), motion for, 21:1 to 21:4

Renewal of prior motion, motion for, **5:1 to 5:4**

PRIVATE ATTORNEYS GENERAL ACT (PAGA)

Amendment of complaint, motion, PAGA plaintiff, **47A:1**Settlement approval, **82A:1**

PRIVILEGE

See index heading Inadvertent
Disclosure of Privileged
Information

PRO HAC VICE ATTORNEY

Attorney pro hac vice, application to appear as, **38:1 to 38:3**

PROCESS AND SERVICE OF PROCESS

Defective notice to corporation or association, motion to quash service of summons, **44:1** to **44:4**

Defective service, motion to quash service of summons, **43:1 to 43:4**

Lack of jurisdiction over non-resident, motion to quash service of summons, **45:1 to 45:4**

Publication, application for service by, **41:1**

PRODUCTION OF DOCUMENTS

Answers and production of documents at deposition, motion to compel, **65:1** to **65:5**

Attendance and production of documents at deposition, motion to compel, **63:1 to 63:5**

Motion for order compelling discovery of medical reports, 77C:1 to 77C:4

Motion to compel electronically stored information, **70A:1** to **70A:5**

PROFITS AND EARNINGS

Protective order (limiting discovery of defendant's profits and financial status), motion for, **61:1 to 61:4**

PROTECTIVE ORDERS

Confidential or privileged information, motion for protective order

declaration, **57E:3** memorandum, **57E:2**

generally, 57E:1 to 57E:4

order (proposed), 57E:4

Deposition, motion for protective order re production of electronically stored information at, **57B:1 to 57B:4**

PROTECTIVE ORDERS

-Cont'd

Documents, production or inspection of, motion for protective order

generally, **57G:1** to **57G:4** declaration, **57G:3** memorandum, **57G:2**

notice of motion and motion, 57G:1

order (proposed), **57G:4** Electronically stored information,

motion for protective order

generally, **57A:1** to **57A:4**, **57B:1** to **57B:4**

declaration, **57A:3**, **57B:3** memorandum, **57A:2**, **57B:2** order (proposed), **57A:4**, **57B:4**

Expert deposition at a location beyond 75 miles of courthouse, motion for protective order

generally, **79F:1 to 79F:4** declaration, **79E:3** memorandum, **79E:2** notice of motion and motion,

79F:1

order (proposed), **79E:4**Expert witness information,
motion for protective order
regarding demand for
generally, **78A:1** to **78A:4**

declaration, 78A:3

memorandum. 78A:2

notice of motion and motion, **78A:1**

order (proposed), 78A:4

Expert's reports in other like cases, motion for protective order

generally, **79F:1 to 79F:4** declaration, **79F:3** memorandum, **79F:2**

notice of motion and motion, **79F:1**

order (proposed), 79F:4

General form, motion for protective order

generally, **57:1 to 57:4** declaration, **57:3**

PROTECTIVE ORDERS —Cont'd General form, motion for protective order—Cont'd memorandum, 57:2 order (proposed), 57:4 Inadvertent disclosure of privileged information, motion for generally, 57J:1 to 57J:4 declaration, 57.J:3 memorandum, 57J:2 order (proposed), 57J:4 Interrogatories, motion for protective order generally, 57F:1 to 57F:4 declaration, 57F:3 memorandum, 57F:2 notice of motion and motion, 57F:1 order (proposed), 57F:4 Limiting discovery of defendant's profits and financial status, motion for protective order generally, 61:1 to 61:4 declaration, 61:3 memorandum, 61:2 [proposed] protective order, 61:4 Medical history, motion for protective order regarding discovery of generally, 57I:1 to 57I:4 declaration, 57I:3 memorandum. 57I:2 notice of motion and motion. 57I:1 order (proposed), 57I:4 Physical examination, motions, 76C:1 to 76C:5 Relief from waiver of objections, motion for, 57K:4 Requests for admission, motion for protective order generally, 57H:1 to 57H:4

PUNITIVE DAMAGES

Motion to strike claim generally, **52A:1** to **52A:4** declaration, **52A:3** memorandum, **52A:2** notice of motion and motion, **52A:1** order (proposed), **52A:4**

PUNITIVES

Amendment of complaint (add punitives against healthcare provider, etc.), motion for, **47:1 to 47:4**

OUASHAL

Deposition subpoena for consumer or employee records, motion to quash or modify, **67:1** to **67:5**

Service of summons (defective notice to corporation or association), motion to quash, 44:1 to 44:4

Service of summons (defective service), motion to quash, 43:1 to 43:4

Service of summons (lack of jurisdiction over non-resident), motion to quash, **45:1 to 45:4**

Service of summons (untimely service), motion to quash, 42:1 to 42:4

Stay of deposition and quash deposition notice, motion for, **62:1 to 62:5**

REAL PROPERTY

Relief, order granting generally, 10C:1 to 10C:4 declaration, 10C:3 memorandum, 10C:2 notice of motion and motion, 10C:1 order (proposed), 10C:4

RECLASSIFICATION

Motion for reclassification of action (limited jurisdiction) generally, 29B:1 to 29B:4 declaration, 29B:3 memorandum, 29B:2

declaration, 57H:3

57H:1

memorandum, 57H:2

order (proposed), 57H:4

notice of motion and motion,

RECLASSIFICATION—Cont'd

Motion for reclassification of action (limited jurisdiction) —Cont'd notion of motion and motion, 29B:1 order (proposed), 29B:4

RECONSIDERATION

Generally, 4:1 to 4:4 Declaration, 4:3 Memorandum, 4:2 Notice of motion and motion, 4:1 Order (proposed), 4:4

RECORDS

Deposition subpoena for consumer or employee records, motion to quash or modify, 67:1 to 67:5

Genuineness of documents. motion to deem matters admitted, 73:1 to 73:4

Government claims filing requirements, petition for relief from, 39:1 to 39:5

Motion for order compelling discovery of medical reports, 77C:1 to 77C:4

Motion to compel electronically stored information, 70A:1 to 70A:5

Objection to or motion to quash subpoena for records relating to alcohol or drug treatment by non-party witness, 62A:1 to 62A:4

Sealing of court records, motion for, 40:1 to 40:4

Unsealing of court records, motion for, 40A:1 to 40A:4

REFEREE

Appointment. See Appointment of Referee

REIMBURSEMENT

Requests for admissions, motion for order for reimbursement generally, 91B:1 to 91B:4 declaration, 91B:3 memorandum, 91B:2

REIMBURSEMENT—Cont'd

Requests for admissions, motion for order for reimbursement —Cont'd notice of motion and motion, 91B:1

order (proposed), 91B:4 RELIEF Costs, motion for relief from, trial de novo, 90C:1 to 90C:4 Default / judgment (defective notice), motion for relief from generally, 11:1 to 11:4 declaration, 11:3 memorandum, 11:2 notice of motion and motion. 11:1 order (proposed), 11:4 Default / judgment (improper venue), motion for relief from generally, 12:1 to 12:4 declaration, 12:3 memorandum, 12:2 notice of motion and motion, 12:1 order (proposed), 12:4 Default / judgment / dismissal (mandatory-attorney declaration of fault), motion for relief from generally, 13:1 to 13:4 declaration of fault, 13:3 memorandum, 13:2 notice of motion and motion,

13:1 order (proposed), 13:4

Dismissal. 10B:1 to 10B:4

Government claims filing requirements, petition for relief from, 39A:1 to 39A:5, 39:1 to 39:5

Impractical service, 10E:1 to 10E:4

Order general form, motion for relief from generally, 10:1 to 10:4 declaration, 10:3 memorandum, 10:2

RELIEF—Cont'd

Order general form, motion for relief from—Cont'd notice of motion and motion, 10:1

order (proposed), 10:4

Real property actions, **10C:1 to 10C:4**

Waiver of objections

late response to demand for physical examination, motion for relief from, **76B:1 to 76B:4**

motion for relief from, **57K:1** to **57K:4**, **58:1** to **58:4**

REMITTITUR

Generally, **103B:1 to 103B:4**Conditional order (proposed), **103B:4**

Declaration, 103B:3 Memorandum, 103B:2 Notice of motion, 103B:1

REMOVAL

Generally, 40B:1, 40B:2
Diversity jurisdiction, 40B:1
Notice of removal
diversity jurisdiction, 40B:1
federal question jurisdiction,
40B:2

RENEWAL

Judgment, application for renewal of

generally, **109:1**, **109:2** memorandum, **109:2**

notice of motion and motion, 109:1

Judgment, motion for order vacating of renewal of

generally, 110:1 to 110:4

declaration, 110:3

memorandum, 110:2

notice of motion and motion, 110:1

order (proposed), 110:4

Prior motion, motion for renewal of

generally, **5:1 to 5:4**

declaration, 5:3

RENEWAL—Cont'd

Prior motion, motion for renewal of—Cont'd memorandum, 5:2 notice of motion and motion, 5:1

order (proposed), 5:4

Sample ex parte applications to set aside, **5A:1** to **5A:4**

REOPENING OF DISCOVERY

Continuance, motion to reopen after, **77:5**

Extension of time to complete discovery and have discovery motions heard (and / or to reopen discovery after new trial date), motion for, **59:1** to **59:4**

Extension of time to complete discovery prior to arbitration (or to reopen discovery after arbitration award), motion for, **60:1** to **60:4**

REQUESTS

Admission, motion for extension of time to respond to requests for, **75A:1** to **75A:4**

Judicial notice (general motion form with request for judicial notice), motion for, **16:1 to 16:3**

Memorandum of points and authorities in support of motion to compel further responses to requests for admissions, 74:1 to 74:5

REQUESTS FOR ADMISSIONS

Reimbursement, motion for order generally, 91B:1 to 91B:4 declaration, 91B:3 memorandum, 91B:2 notice of motion and motion, 91B:1 order (proposed), 91B:4

RESPONSES

Admission, motion for extension of time to respond to requests for

generally, 75A:1 to 75A:4

RESPONSES—Cont'd RESTRAINING ORDERS Admission, motion for extension -Cont'd of time to respond to requests show cause re preliminary for-Cont'd injunction, 34:1 to 34:3 declaration, 75A:3 Temporary restraining order, 35:1 memorandum, 75A:2 **SANCTIONS** notice of motion and motion. See index heading Cost or Sanc-75A:1 TIONS order (proposed), 75A:4 Discovery, motion to extend time SEALED RECORDS in which to respond (general Motion for sealing of court records generally, 69A:1 to 69A:4 generally, 40:1 to 40:4 declaration, 69A:3 declaration, 40:3 memorandum, 69A:2 memorandum, 40:2 notice of motion and motion, notice of motion and motion. 69A:1 40:1 order (proposed), 69A:4 order (proposed), 40:4 Inspection demands. See Inspec-Motion for unsealing of court TION DEMANDS records Interrogatories, motion for extendeclaration, 40A:3 sion of time to respond memorandum, 40A:2 generally, 69A:1 to 69A:4 notice of motion and motion. declaration, 69A:3 40A:1 memorandum, 69A:2 order (proposed), 40A:4 notice of motion and motion, **SECURITY** 69A:1 order (proposed), 69A:4 Order to furnish, separate motion Interrogatories, motion to compel generally, 9D:1 to 9D:4 further responses to declaration, 9D:3 generally, 69:1 to 69:5 memorandum, 9D:2 declaration, 69:3 notice of motion, 9D:1 memorandum, 69:2 order (proposed), 9D:4 notice of motion and motion, Pre-filing order and order to 69:1 furnish security for vexatious order (proposed), 69:5 litigant, motion for separate statement, 69:4 generally, 9B:1 to 9B:4 Physical examination, motion for declaration, 9B:3 relief from waiver of objecmemorandum, 9B:2 tions for late response to notice of motion and motion, demand for 9B:1 generally, 76B:1 to 76B:4 order (proposed), 9B:4 declaration, 76B:3 memorandum, 76B:2 SERVICE OF SUMMONS notice of motion and motion, Defective notice to corporation or 76B:1 association, motion to quash order (proposed), 76B:4 service of summons generally, 44:1 to 44:4 RESTRAINING ORDERS declaration, 44:3 Ex parte application for temporary restraining order and order to memorandum, 44:2

SERVICE OF SUMMONS **SEVERANCE** —Cont'd Generally, 21A:1 to 21A:4 Defective notice to corporation or Declaration, 21A:3 association, motion to quash Memorandum, 21A:2 service of summons-Cont'd Notice of motion and motion, notice of motion and motion. 21A:1 44:1 Order (proposed), 21A:4 order (proposed), 44:4 SHOW CAUSE ORDERS Defective service, motion to quash service of summons Preliminary injunction, order to show cause re. 36:1 generally, 43:1 to 43:4 Temporary restraining order and declaration, 43:3 order to show cause re prememorandum, 43:2 liminary injunction, ex parte notice of motion and motion, application for, 34:1 to 34:3 43:1 order (proposed), 43:4 SLAPP Impractical service, relief, order See index heading STRATEGIC granting LAWSUIT AGAINST PUBLIC generally, 10E:1 to 10E:4 PARTICIPATION declaration, 10E:3 SPECIAL DEFENSES memorandum, 10E:2 notice of motion and motion, Sample motions for separate trial, 21D:1 to 21D:4 10E:1 order (proposed), 10E:4 SPOLIATION OF EVIDENCE Lack of jurisdiction over non-resi-Motion for sanctions for dent, motion to quash service generally, **77A:1 to 77A:5** of summons declaration generally, 45:1 to 45:4 generally, 77A:3 declaration, 45:3 electronically stored informamemorandum. 45:2 tion, 77B:3 notice of motion and motion. electronically stored informa-45:1 tion, generally, 77B:1 to order (proposed), 45:4 77B:5 Publication, application for service by, 41:1 memorandum Untimely service, motion to quash generally, 77A:2 service of summons electronically stored informagenerally, 42:1 to 42:4 tion, 77B:2 declaration, 42:3 notice of motion and motion memorandum, 42:2 generally, 77A:1 notice of motion and motion, electronically stored informa-42:1 tion, 77B:1 order (proposed), 42:4 order (proposed) generally, 77A:5 **SETTING** electronically stored informa-Motion for trial setting preference, tion, 77B:5 97:1 to 97:5 separate statement SETTLEMENT generally, 77A:4 See index heading DISMISSAL AND electronically stored informa-SETTLEMENT tion, 77B:4

STATE RULES OF COURT STAY OF PROCEEDINGS -Cont'd Motion to dismiss action for viola-Enforcement of judgment, motion tion of local/state rules of court, 89:1 to 89:4 for temporary stay-Cont'd declaration, 105A:3 STATUTE OF LIMITATIONS memorandum, 105A:2 AFFIRMATIVE DEFENSE notice of motion and motion. Order granting leave to amend 105A:1 answer to allege applicable order (proposed), 105A:4 subdivision, motion Foreign jurisdiction, action pendgenerally, 47B:1 to 47B:4 ing in, motion for stay declaration, 47B:3 generally, 23:1 to 23:4 memorandum, 47B:2 declaration, 23:3 notice of motion and motion, memorandum, 23:2 47B:1 notice of motion and motion, order (proposed), 47B:4 23:1 Summary judgment (or, in the order (proposed), 23:4 alternative, for summary Inconvenient forum, motion for adjudication) based on, stay of action motion generally, 24:1 to 24:4 generally, 80A:1 to 80A:5 declaration, 24:3 declaration, 80A:3 memorandum, 24:2 memorandum, 80A:2 notice of motion and motion, notice of motion and motion, 24:1 80A:2 order (proposed), 24:4 order (proposed), 80A:5 Pending contractual arbitration, separate statement of motion for stay of action undisputed material facts, generally, 22:1 to 22:4 80A:4 declaration, 5:3 memorandum, 22:2 STAY OF PROCEEDINGS notice of motion and motion, As discovery sanction, motion for 22:1 stay of action order (proposed), 22:4 generally, 25:1 to 25:4 Pending coordination of cases declaration, 25:3 generally, 20A:1 to 20A:4 memorandum, 25:2 declaration, 20A:3 notice of motion and motion, memorandum, 20A:2 25:1 notice of motion and motion, order (proposed), 25:4 20A:1 Deposition and quashal of deposiorder (proposed), 20A:4 tion notice, motion for stay Relief, order granting generally, 62:1 to 62:5 generally, 10D:1 to 10D:4 declaration, 62:3 declaration, 10D:3 memorandum, 62:2 memorandum. 10D:2 notice of motion and motion, notice of motion and motion, 62:1 10D:1 order (proposed), 62:5 order (proposed), 10D:4 separate statement, 62:4 **STIPULATIONS** Enforcement of judgment, motion Enforcement of, sample motion

for temporary stay

generally, 105A:1 to 105A:4

for order

generally, 77E:1 to 77E:4

STIPULATIONS—Cont'd

Enforcement of, sample motion for order—Cont'd declaration, 77E:3 memorandum, 77E:2 notice of motion and motion, 77E:1 order (proposed), 77E:4

STRATEGIC LAWSUIT AGAINST PUBLIC PARTICIPATION

Special motion to strike, anti-**SLAPP** motion generally, 54:1 to 54:4 declaration, 54:3 memorandum, 54:2 notice of motion and motion, 54:1 order (proposed), 54:4 Specific discovery, motion to conduct after anti-SLAPP generally, 54A:1 to 54A:4 declaration, 54A:3 memorandum, 54A:2 notice of motion and motion. 54A:1 order (proposed), 54A:4

STRIKING

Answer and enter defendant's default, motion to strike, **52:1** to **52:3**

Demurrer, sample motion to strike, **50B:1** to **50B:4**

Failure to comply with Local Rule, motion to strike for

generally, **51A:1** to **51A:4** declaration, **51A:3**

memorandum. 51A:2

notice of motion and motion, 51A:1

order (proposed), 51A:4

Motion to dismiss for plaintiff's failure to amend following (sustaining of demurrer and/or granting of motion to strike), 87:1 to 87:4

Motion to strike and/or tax costs, 90B:1 to 90B:4

STRIKING—Cont'd

Pleading or portion of pleading, motion to strike, **51:1 to 51:4** Punitive damages claims, motion to strike, **52A:1 to 52A:3** Special motion to strike (anti-SLAPP motion), **54:1 to 54:4**

SUBPOENAS

Motion to compel compliance with deposition subpoena, 64A:1 to 64A:5, 64:1 to 64:5

Motion to quash or modify deposition subpoena for consumer or employee records, **67:1** to **67:5**

Objection to or motion to quash subpoena for records relating to alcohol or drug treatment by non-party witness, **62A:1 to 62A:4**

SUMMARY JUDGMENT OR ADJUDICATION

Motion for summary judgment (or, in the alternative, for summary adjudication) generally, 80:1 to 80:5 declaration, 80:3 memorandum, 80:2 notice of motion or motion, 80:1 order (proposed), 80:5 separate statement of undisputed material facts,

Motion for summary judgment, ex parte application to continue hearing on

generally, **81A:1** to **81A** declaration, **81A:3**

memorandum, 81A:2

notice of motion and motion, **81A:1**

order (proposed), 81A:4

Motion for summary judgment (or, in the alternative, for summary adjudication) based on statute of limitations affirmative defense

generally, **80A:1** to **80A:5** declaration, **80A:3**

SUMMARY JUDGMENT OR ADJUDICATION—Cont'd

Motion for summary judgment (or, in the alternative, for summary adjudication) based on statute of limitations affirmative defense—Cont'd memorandum, 80A:2

notice of motion and motion, 80A:2

order (proposed), **80A:5** separate statement of undisputed material facts, **80A:4**

Opposition to motion for summary judgment (or, in the alternative, for summary adjudication) based on request for continuance to obtain additional essential evidence

generally, 81:1 to 81:4 declaration, 81:3 memorandum, 81:2 order (proposed), 81:4

SUMMONS AND PLEADING MOTIONS

Amendment of answer to allege applicable subdivision for statute of limitations affirmative defense, **47B:1** to **47B:4**

Amendment of complaint (add punitives against healthcare provider, etc.), motion for, **47:1 to 47:4**

Amendment of complaint / pleading (correction of error), motion for, **46:1 to 46:4**

Amendment of complaint to add fictitiously named party, motion for order granting leave for, 47A:1 to 47A:4

Demurrer, motion for, **50:1 to 50:4**

Interpleader of funds, motion to file, **49:1** to **49:4**

Judgment on the pleadings, motion for, **53:1 to 53:4**

Motion to dismiss action on ground of plaintiff's failure to serve summons within three years, **85:1** to **85:4**

SUMMONS AND PLEADING MOTIONS—Cont'd

Service of summons (defective notice to corporation or association), motion to quash, 44:1 to 44:4

Service of summons (defective service), motion to quash, 43:1 to 43:4

Service of summons (lack of jurisdiction over non-resident), motion to quash, **45:1** to **45:4**

Service of summons (untimely service), motion to quash, 42:1 to 42:4

Special motion to strike (anti-SLAPP motion), **54:1 to 54:4**

Strike answer and enter defendant's default, motion to, **52:1** to **52:3**

Strike pleading or portion of pleading, motion to, **51:1** to **51:4**

Supplemental pleading, motion to file, **48:1** to **48:4**

SUPPLEMENTAL PLEADING

Motion to file

generally, 48:1 to 48:4

declaration, 48:3

memorandum, 48:2

notice of motion and motion, 48:1

order (proposed), 48:4

TAXATION OF COSTS

Motion to strike and/or tax costs, 90B:1 to 90B:4

TEMPORARY RESTRAINING ORDER

Generally, 35:1

Ex parte application for temporary restraining order and order to show cause re preliminary injunction

generally, 34:1 to 34:3 declaration, 34:3 ex parte application, 34:1 memorandum, 34:2

TIME AND DATE

Commencement of action, motion to conduct discovery prior to, **56:1 to 56:4**

Depositions, scheduling time, shorten or extend, **56B:1** to **56B:4**

Motion for relief from waiver of objections for late response to demand for physical examination, **76B:1** to **76B:4**

Motion to dismiss action for failure to prosecute case within time periods prescribed by statute, **84:1** to **84:4**

Motion to dismiss action on ground of plaintiff's failure to serve summons within three years, **85:1** to **85:4**

Motion to submit tardy expert witness information, **79:1 to 79:4**

Order shortening time, ex parte application for, **15:1** to **15:3**

Renewal of prior motion, motion for, **5:1 to 5:4**

Service of summons (untimely service), motion to quash, 42:1 to 42:4

TIME EXTENSION

Generally, **6:1 to 6:4**

Ex parte application to extend time (general form), **7:1 to**

Ex parte application to extend time to plead, **14:1** to **14:3**

15-day extension, **14A:1 to 14A:4**

Motion to extend time to complete discovery and have discovery motions heard (and / or to reopen discovery after new trial date), **59:1** to **59:4**

Motion to extend time to complete discovery prior to arbitration (or to reopen discovery after arbitration award), **60:1** to **60:4**

Time limits for deposition, motion to increase, **66B:1 to 66B:4**

TIME GOALS

Exemption of action from case disposition time goals, motion for, **30:1** to **30:4**

TORT CLAIMS ACT

Bad faith actions under Tort Claims Act, defense costs. See index heading Cost or Sanctions

TRANSFER

Appellate court, motion to tranfer to, 111:1

Convenience of witnesses / ends of justice, motion generally, 29:1 to 29:4 declaration, 29:3 memorandum, 29:2 notice of motion and motion,

29:1 order (proposed), **29:4**

Filed in wrong court, motion generally, 27:1 to 27:4 declaration, 27:3 memorandum, 27:2 notice of motion and motion, 27:1

order (proposed), 27:4

Non-complex cases, motion for transfer and consolidation of cases

generally, **18:1 to 18:4** declaration, **18:3** memorandum, **18:2** notice of motion and motion, **18:1**

order (proposed), **18:4**Fransfer and consolidation

Transfer and consolidation, motion

generally, **26:1** to **26:4** declaration, **26:3** memorandum, **26:2** notice of motion and motion,

26:1

TRAVEL LIMITS FOR DEPOSITION

Motion to increase generally, **66:1** to **66:4** declaration, **66:3**

TRAVEL LIMITS FOR	TRIAL AND POST-TRIAL
DEPOSITION—Cont'd	—Cont'd
Motion to increase—Cont'd	New trial, motion
memorandum, 66:2	generally, 103:1 to 103:4
notice of motion and motion,	declaration, 103:3
66:1	memorandum, 103:2
order (proposed), 66:4	notice of motion and motion,
TRIAL AND POST-TRIAL	103:1
Additur. See index heading	order (proposed), 103:4
Additur	Remittitur. See index heading
Advance trial date, motion to,	REMITTITUR Temporary stay of enforcement of
97A:1	Temporary stay of enforcement of judgment, motion
Amendment of judgment, motion	generally, 105A:1 to 105A:4
generally, 105:1 to 105:4	declaration, 105A:3
declaration, 105:3	memorandum, 105A:2
memorandum, 105:2	notice of motion and motion,
notice of intention and motion, 105:1	105A:1
order (proposed), 105:4	order (proposed), 105A:4
Excluding non-party witness form	Trial setting preference, motion
courtroom, motion	generally, 97:1 to 97:5
generally, 108A:1 to 108A:4	attorney declaration, 97:3
declaration, 108A:3	memorandum, 97:2
memorandum, 108A:2	notice of motion and motion, 97:1
order (proposed), 108A:4	, <u></u>
Granting leave to amend com-	order (proposed), 97:5 party declaration, 97:4
plaint to conform to proof at	- ·
trial, motion for order	Vacating judgment, motion
generally, 99:1 to 99:4	generally, 104:1 to 104:4
declaration, 99:3	declaration, 104:3
memorandum, 99:2	memorandum, 104:2
notice of motion and motion, 99:1	notice of intention and motion, 104:1
order (proposed), 99:4	order (proposed), 104:4
Granting relief from waiver of jury trial, motion for order	View by trier of fact, motion for order
generally, 98:1 to 98:4	generally, 108:1 to 108:4
declaration, 98:3	declaration, 108:3
memorandum, 98:2	memorandum, 108:2
notice of motion and motion, 98:1	notice of intention and motion,
order (proposed), 98:4	108:1
In limine motion	order (proposed), 108:4
generally, 106:1 to 106:3	UNDERTAKINGS
memorandum, 106:2	Design professionals
notice of motion and motion,	sample motions, 16J:1 to 16J:5
106:1	Motion for order requiring non-
order (proposed), 106:3	resident plaintiff to file

UNDERTAKINGS—Cont'd

undertaking, medical malpractice

generally, 16K:1 to 16I:5

affidavit, 16K:4

declaration, 16K:3

memorandum, 16K:2

notice of motion and motion, 16KI:1

order (proposed), 16K:5

Motion for order requiring nonresident plaintiff to file undertaking to amend judgment

generally, 16H:1 to 16H:5

affidavit. 16H:4

declaration, 16H:3

memorandum, 16H:2

notice of motion and motion.

16H:1

order (proposed), 16H:5

Sample applications for stay following service on non-resident, 16I:1 to 16I:4

UNSEALED RECORDS

Unsealing of court records, motion for, 40A:1 to 40A:4

UNTIMELY SERVICE

Service of summons (untimely service), motion to quash, 42:1 to 42:4

VACATIONS

Application to vacate prefiling order. See index heading VEXATIOUS LITIGANTS

Default judgment, motion to vacation on equitable grounds. 10A:1 to 10A:4

Motion to vacate judgment. See index heading Trial and Post-trial

Petition to vacate arbitration award. See index heading ARBITRATORS AND ARBITRATION

Renewal of judgment, motion for order

generally, 110:1 to 110:4 declaration, 110:3 memorandum, 110:2

VACATIONS—Cont'd

Renewal of judgment, motion for order-Cont'd notice of motion and motion, 110:1 order (proposed), 110:4

VENUE

Relief from default / judgment (improper venue), motion for, 12:1 to 12:4

Stay of action (inconvenient forum), motion for, 24:1 to 24:4

Transfer of action (convenience of witnesses / ends of justice), motion for, 29:1 to 29:4

Transfer of action (filed in wrong court), motion for, 27:1 to 27:4

VERDICT

Motion for directed verdict, 101:1 to 101:4

Motion for judgment notwithstanding verdict, 102:1 to 102:4

VEXATIOUS LITIGANT

Application to vacate prefiling order

generally, 9E:1 to 9E:3

memorandum, 9E:2

order (proposed), 9E:3

Pre-filing order and order to furnish security, motion for, 9B:1 to 9B:4

Prohibition from filing litigation without first obtaining leave, motion declaring plaintiff vexatious litigator

generally, 9C:1 to 9C:4

declaration, 9C:3

memorandum. 9C:2

notice of motion, 9C:1

order (proposed), 9C:4

VEXATIOUS LITIGANTS

Pre-filing order and order to furnish security for, motion generally, 9B:1 to 9B:4 declaration, 9B:3

VEXATIOUS LITIGANTS

-Cont'd

Pre-filing order and order to furnish security for, motion —Cont'd memorandum, 9B:2

notice of motion and motion, 9B:1

order (proposed), 9B:4

VIEW BY TRIER OF FACT

Motion for order for view by trier of fact generally, 108:1 to 108:4 declaration, 108:3 memorandum, 108:2 notice of intention and motion, 108:1 order (proposed), 108:4

WAIVER

Relief from waiver of jury trial, motion for order granting, 98:1 to 98:4

Relief from waiver of objection to RFP, **71B:1**

Relief from waiver of objections, motion for

generally, 57K:1 to 57K:4, 58:1 to 58:4

declaration, 57K:3

late response to demand for physical examination,

76B:1 to 76B:4

memorandum, **57K:2** notice of motion and motion, **57K:1**

protective order (proposed), **57K:4**

WITHDRAWAL OF ADMISSIONS

Admissions, motion to withdraw or amend, **75:1 to 75:4**

WITHDRAWAL OF CASE

Additional discovery (limited-or alternatively to withdraw

WITHDRAWAL OF CASE

—Cont'd

case from economic litigation), motion for, **55:1 to 55:4**

WITNESSES

Continuance of trial (absence of evidence or witness), motion for, 32:1 to 32:4

Exclude non-party witness form courtroom, motion to, 108A:1 to 108A:4

Expert witnesses. See index heading Expert Witnesses

Transfer of action (convenience of witnesses / ends of justice), motion for, **29:1** to **29:4**

Unavailability of essential witnesses, continuation of arbitration, motion, **93A:1** to **93A:4**

WRIT OF ADMINISTRATIVE MANDATE

Petitions, 16N:1

WRIT OF ATTACHMENT

Application for, **16D:1**, **16D:2**Notice of application and hearing and application for right to attach order and writ of application application, **16D:2** notice, **16D:1**

WRIT OF MANDAMUS

Petitions, 16M:1

WRIT OF POSSESSION

Application for generally, **16O:1** to **16M:4** memorandum, **16O:3** notice of application, **16O:1** order (proposed), **16O:4** sample application, **16M:2**

WRONG COURT

Transfer of action (filed in wrong court), motion for, 27:1 to 27:4