

## **EARLY MEETING OF COUNSEL, JOINT STATUS CONFERENCE INSTRUCTIONS**

1. A COPY OF THESE INSTRUCTIONS MUST BE ATTACHED TO THE COPY OF THE COMPLAINT SERVED UPON EACH PARTY, AND THE PROOF OF SERVICE OF THE SUMMONS AND COMPLAINT MUST INDICATE THAT SUCH COPY WAS SERVED THEREWITH.
2. These instructions apply only to parties represented by counsel. If you do not have an attorney you must appear at the status conference in person.
3. This status hearing may be made **by telephone** at the date and time shown on the summons. The Order re Telephonic Status Conference in Adversary Proceedings served with these instructions explains the procedure for the telephonic hearing.
4. If the proceeding involves money or property exceeding \$10,000 or if the plaintiff believes trial time will be 4 hours or more, plaintiff must serve, with the summons and complaint, a notice in compliance with **Local Rule 7026-1** is required. Plaintiff must also file proof of service of the notice with proof of service of the summons and complaint.
5. If **Local Rule 7026-1** applies, counsel for the parties **MUST TIMELY MEET TO DISCUSS SETTLEMENT AND TO EXCHANGE DOCUMENTS, OTHER EVIDENCE, AND LISTS OF WITNESSES AND PRELIMINARY DISCOVERY SCHEDULES AS PROVIDED IN THE RULE.**
6. Unless all defendants have defaulted, the parties shall file a Joint Status Report pursuant to **Local Rule 7016-1(a)(2)** at least 10 court days before the date of each status conference in a form substantially similar to **Local Form No. 7016-1.1**. If **Local Rule 7026-1** applies, the parties must include in the Joint Status Report a statement that they have met to discuss settlement and have exchanged documents, other evidence, lists of witnesses and preliminary discovery schedules.
7. If no response to the complaint is timely filed, plaintiff may request entry of default by the clerk or by the court.
8. If the parties dispute whether the adversary proceeding is “**core**” or “**non-core**,” they shall file points and authorities in support of their positions. Any party that contends the proceeding is “**non-core**” shall file and serve its points and authorities at least **14 days** before the status conference. Any response must be filed and served at least 7 days before the status conference.
9. Failure to comply with these instructions will subject the responsible party to **sanctions**.
10. Failure of counsel for any party to appear at a status conference or pre-trial conference may be considered an abandonment or failure to prosecute or defend diligently and the proceeding may be dismissed or judgment entered against the defaulting party.
11. A plaintiff demanding trial by jury in the bankruptcy court shall file a demand with the complaint. All other parties stipulating to trial by jury in the bankruptcy court should file their stipulation not later than the date of the status conference.

# NOTICE RE TELEPHONIC APPEARANCE PROCEDURES FOR JUDGE SAMUEL L. BUFFORD'S CASES

## I. POLICY GOVERNING TELEPHONIC APPEARANCES.

Telephonic appearances are allowed in all matters before Judge Bufford in Courtroom #1575, except the following:

1. Trials and Evidentiary Hearings (all counsel and all witnesses *must* appear in person), unless other arrangements are made by motion.
2. Chapter 11, 12 & 13 Confirmation Hearings (debtor, debtor's counsel, and all objecting creditors *must* appear in person);
3. Pre-Trials (all trial counsel *must* appear in person);
4. Any matter designated by the court as requiring a personal appearance.

No telephonic appearance will be allowed unless it is made through *Court Call*, an independent conference call company, pursuant to the procedures set forth in Section II.

Before requesting a telephonic appearance, you should check Judge Bufford's Calendar on the webPACER system. You should also review any Tentative Ruling on the matter, which will normally be issued the day before the hearing. **If the court has issued a Tentative Ruling prior to the hearing, each individual who appears telephonically should have reviewed the Tentative Ruling prior to the hearing.**

If an individual schedules a telephonic appearance and then fails to respond to the call of a matter on calendar, the court may pass the matter or may treat the failure to respond as a failure to appear. Scheduling simultaneous telephonic appearances in multiple courts does not excuse a failure to appear when a matter is placed on calendar.

The 3:00 p.m. deadline for scheduling telephonic appearances noted below is independent of the issuance of Tentative Rulings. Late scheduling of a telephonic appearance is not permitted even though Tentative Rulings may have not yet been posted on the court's website.

Individuals making use of the conference call service are cautioned that they do so at their own risk. Hearings generally will not be rescheduled due to missed connections.

## II. SCHEDULING A TELEPHONIC APPEARANCE.

Any party who wishes to appear by telephone must contact the Courtroom Deputy Elaine Garcia at (213) 894-0995 at least three court days before the hearing. In addition, the telephonic appearance must be scheduled by telephone with *Court Call*.

**Scheduling the Telephonic Appearance by Telephone:** Telephone appearances may be arranged by calling *Court Call* at (866) 582-6878 not later than **3:00 p.m.** the day prior to the court hearing date. Any request for a telephonic appearance made after the 3:00 p.m. deadline must be court approved by contacting Judge Bufford's Courtroom Deputy Elaine Garcia at (213) 894-0995.

**Scheduling the Telephonic Appearance by Facsimile:** Use the court-approved **Facsimile Request for Telephonic Appearance Form** located under the *Procedures/Rules/Forms* section, *Judge's Forms & Instructions* subsection, of the Court's web site at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov). Facsimile requests to *Court Call* may only be used if the requested appearance is made at least 24 hours in advance of the court hearing date. The facsimile telephone number at *Court Call* is (866) 533-2946.

### **PROCEDURE FOR TELEPHONIC APPEARANCE.**

*Court Call* will provide counsel with written confirmation of a telephonic appearance, and give counsel a number to call to make the telephonic appearance. It is counsel's responsibility to dial into the call not later than 10 minutes prior to the scheduled hearing. ***Court Call* does not place a call to counsel.**

Telephonic appearances are connected directly with the courtroom's public address system and electronic recording equipment so that a normal record is produced. To ensure the quality of the record, the use of car phones, cellular phones, speaker phones, public telephone booths, or phones in other public places is prohibited except in the most extreme emergencies. Participants should be able to hear all parties without difficulty or echo.

At the time of your hearing, you may initially be in the listening mode in which case you will be able to hear the case before yours just as if you were in the courtroom. After your call is connected to the courtroom, the Judge will call the case, request appearances, and direct the manner in which the hearing proceeds. Each time you speak, you should identify yourself for the record. The court's teleconferencing system allows more than one speaker to be heard, so the Judge can interrupt a speaker to ask a question or redirect the discussion. When the Judge informs the participants that the hearing is completed, you may disconnect and the next case will be called.

Telephonic appearances by multiple participants are only possible when there is compliance with every procedural requirement. Sanctions may be imposed when there is any deviation from the required procedures or the Court determines that a person's conduct makes telephonic appearances inappropriate. Sanctions may include dropping a matter from calendar, continuing the hearing, proceeding in the absence of an unavailable participant, a monetary sanction, or a permanent prohibition against a person appearing telephonically.

**UNITED STATES BANKRUPTCY COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**  
**LOS ANGELES DIVISION**

In re	Case No.: _____
	Adv. No.: _____
	Chapter: _____
Debtor(s)	<b>NOTICE OF TELEPHONIC APPEARANCE</b>
	DATE: _____
Plaintiff/Movant(s)	TIME: _____
vs.	PLACE: COURTROOM 1575 255 EAST TEMPLE STREET 15 <sup>th</sup> FLOOR LOS ANGELES, CA 90012
Defendent/Respondent(s)	

Please take notice that the following party/attorney shall appear by telephone in lieu of personal appearance at the hearing on the motion noticed herewith:

PARTY/COUNSEL APPEARING BY TELEPHONE: \_\_\_\_\_

DATE OF HEARING: \_\_\_\_\_ TIME OF HEARING: \_\_\_\_\_

TEN DIGIT TELEPHONE NUMBER (used to initiate telephone conference): (\_\_\_\_) \_\_\_\_\_.

**Once the court has approved the telephone appearance, it is the requesting party's responsibility to contact Court Call at (888) 882-6878.**

Please take further notice that, if any other party/counsel wish to appear by telephone on this motion, the party must contact the Courtroom Deputy ELAINE L. GARCIA at (213) 894-0995 no later than three court days prior to the hearing.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Party/Counsel