

## JUDGE TIGHE'S PROCEDURES AND/OR JUDICIAL VARIANCE STATEMENT:

**(A) Fostering attorney development.** To foster the professional development of attorneys who may be inexperienced in some matters (e.g., trial practice or oral arguments), and to address possible implicit or explicit biases, the following practices apply:

- (1) Two attorneys may argue. Many courts allow only one attorney per party to address the court. Judge Tighe generally will permit attorneys to switch back and forth at will (so that the attorney who is less experienced can focus on discreet tasks, and can have the “backup” of a more experienced attorney).
- (2) Two attorneys may bill. Bankruptcy Courts have an independent duty to scrutinize professionals' fee applications and to look for excessive time or billing rates (among other things). That does not mean that any time two attorneys for a party confer then only one of them may bill, or that any time two attorneys argue in court it is unnecessary. Professionals must always use good billing judgment. Judge Tighe encourages more experienced attorneys to be alert to “win-win” opportunities to (a) enhance value by (b) conferring with, delegating to, and/or appearing with less experienced colleagues.

**(B) Proposed orders.** Judge Tighe generally adheres to the seven-day contested motion objection period under Local Bankruptcy Rule (“LBR”) 9021-1(b)(3)(B), unless the opposing party approves the form of the proposed order. If the parties to a contested motion do not want to wait for the contested motion objection period under LBR 9021-1(b)(3)(B), the parties may lodge a stipulated form of order.

- (1) L.O.U. Orders: The Court prefers that proposed orders be submitted (lodged) through the Court's Lodged Order Upload (L.O.U.) program. For more information about how to use this program and detailed L.O.U. instructions, please visit <http://cacb.uscourts.gov/lou-lodged-order-upload>
- (2) Procedures for Deficient Orders: If a submitted L.O.U. order fails to comply with applicable Bankruptcy and Local rule, Judge Tighe's chambers will send an email notice via L.O.U. to the party who submitted the order. No further notice will be given. The deficient order will be marked “unused,” being treated as if no order has been submitted. Parties will still be responsible for complying with LBR 9021-1 and for relodging a proper order within the time set forth therein. The Court may, in its discretion, prepare and enter such order as it deems appropriate.

**(C) Discovery disputes.** Before filing written motions to compel or quash discovery, parties must first meet and confer (per Rule 7026-1(c)). Once a written motion to compel or quash discovery is filed and a judge's copy served, the Motion must be served on the responding party, which shall have seven days to object to the Motion. If a written objection is not timely filed and a judge's copy served, the Court may conclude that there is no objection to the issuance of an Order to Compel or Quash Discovery. No hearing on a Motion to Compel or Quash Discovery will be held unless the Court so orders. Any request for sanctions relating to a discovery dispute must be made by separate noticed motion. The Court will consider a request to be available telephonically during a particular contested deposition, if necessary to reduce delay and cost.

**(D) Shortened time and Emergency Motions (less than 48 hours' notice).** (1) File the motion/application papers. (2) Notify chambers by phone. Follow LBR 9075-1(b). Exception: For extraordinarily urgent matters, requiring a hearing on less than 48 hours' notice, call chambers for further instructions per LBR 9075-1(a).

**(E) Pronouns and Honorifics.** Judge Tighe seeks to maintain a courtroom environment (both online and in person) in which all persons are treated with dignity and respect, irrespective of their gender identity, expression or preference. To that end, individuals appearing before the Court are invited to identify their preferred pronouns (e.g., he, she, they, etc.) and their preferred honorific (e.g., Mr., Miss, Ms., Mrs., Mx, M, etc.). Individuals may do so by advising the Courtroom Deputy or Judge prior to any appearance and/or, in the case of remote hearings, by providing this information in the person's screen name in ZoomGov.

**(F) Special Accommodations for Parties Appearing before Judge Tighe.** If counsel or any party appearing before Judge Tighe requires special accommodations during the appearance (e.g., private space for nursing mothers; more frequent restroom breaks for health concerns; special seating), please contact either Courtroom Deputy Emma Gonzalez at 818-587-2832 or Judge Tighe's chambers at 818-587-2806 prior to the hearing date to make any necessary arrangements. Judge Tighe's staff will inform her of any necessary accommodation so that Judge Tighe can manage the hearing while maintaining the privacy of the requesting party.

**(G) Assigning matters to mediation.** The Judge may order mediation even when parties do not consent. Unless, in her discretion, specific cause is shown for referring the matter to another Bankruptcy Judge, Judge Tighe prefers that all matters be assigned to the members of the Mediation Panel. Please see <http://www.cacb.uscourts.gov/mediation-program> for more information about the members of the Court's Mediation Panel.

**(H) Waiver of LBR 5005-2(d).** Judge Tighe waives application of LBR 5005-2(d) (requirement for service of judge's copies) for all documents, except for the following documents, declarations in support, exhibits, and pleadings filed in response thereto: (1) Motions for Summary Judgment; (2) Motions to Dismiss or for Judgment on Pleadings under FRCP 12(b) or 12(c); (3) Chapter 13 Motions to Avoid Liens under §§ 506 and 1322(b); and (4) any document filed in a contested matter that exceeds 50 pages in length, including exhibits, unless otherwise directed by the Court.

**(I) Tentative Rulings.** Judge Tighe generally posts tentative rulings in advance of hearings. Where the tentative ruling states that no appearance is required, parties may still appear. Nonappearance is generally considered to be an indication that the party is submitting on the tentative ruling. Appearance is almost always required where the matter is opposed. The purpose of requiring appearances on all opposed matters is to allow the parties to make oral argument challenging the tentative ruling if they disagree with it. Tentative rulings are not final, nor should they discourage zealous oral advocacy.