

INSTRUCTIONS -- Hon. Vincent P. Zurzolo, U.S. Bankruptcy Judge

GUIDELINES FOR TELEPHONING CHAMBERS

July 2018

In light of the limitations imposed by Federal Rules of Bankruptcy Procedure (FRBP) Rule 9003, Judge Zurzolo has instructed chambers personnel to limit telephone communications with the public. This is designed to: (1) direct you to the most efficient means of obtaining information you seek and (2) inform you whether such information may be obtained from chambers personnel. Please read these instructions carefully **before** you place a call to chambers. Thank you for your cooperation.

A. CHAMBERS WILL NOT RETURN CALLS INQUIRING ABOUT THE FOLLOWING:

- 1) **Status of a Case or Result of a Hearing:** To obtain information related to the status of a case or the result of a hearing, consult the CM/ECF docket, contact a party who participated in the case or hearing, or obtain an audio or written transcript of a proceeding by following the instructions posted on the Court's website, www.cacb.uscourts.gov, on the "Information" page under the links "Audio Recording of Court Proceedings Order Form" or "Transcripts Order Form and Instructions."
- 2) **Requests for Advice:** The Court cannot act as your attorney or co-counsel. Federal Rules and Code of Ethics/Conduct preclude chambers personnel from answering questions related to how to file or respond to pleadings, which procedures to follow, which rules apply, etc.
- 3) **Inquiries as to Whether Appearance at a Hearing Will Be Necessary:** Do not call to see if a hearing was "taken off calendar." All hearings remain on the calendar but some are vacated or continued. Check Judge Zurzolo's posted calendar for Tentative Rulings 2 court days prior to the scheduled hearing to see if it was vacated or continued, and if an appearance has been waived.

A. **Status of a Motion or a Stipulation to Continue a Hearing:** Electronic filers will receive a Notice of Electronic Filing (NEF) when the order on a motion or a stipulation has been entered, others should consult the CM/ECF docket. Also, check Judge Zurzolo's posted calendar for Tentative Rulings 2 court days prior to the hearing to see if the hearing was vacated or continued, and if an appearance has been waived. If no NEF is received at least one day prior to the hearing or no Tentative Ruling is posted waiving appearance, appearance is required. Compliance with LBR 9013-1(m) is required.

B. **Status of a Stipulation Resolving a Motion or Adversary Proceeding:** Electronic filers will receive a NEF when the order on the stipulation has been entered, others should consult the CM/ECF docket. Compliance with LBR 9071-1, LBR 9013-1(k) and FRBP 7041, if applicable, is required. Putting the date of the next scheduled hearing or status conference on the stipulation or proposed order is required, and it permits the Court to prioritize review of your stipulation and post a tentative ruling or that your matter has been vacated. Proposed orders lacking a hearing date will be marked unused.

C. **Serving a Judge's Copy of a Stipulation/Motion and Order Resolving a Hearing:** Delivery of a judge's copy to chambers is required, and, it is the best way to insure your stipulation/motion is promptly ruled on. See Court Manual Appendix F and please comply with LBR 5005-2(d) by using tabs for all exhibits and declarations, and stapling/binding the copy.

- 4) **Seeking a Hearing on Shortened Notice under LBR 9075-1(b) (i.e. more than 48 hours of notice):** Comply with LBR 9075-1(b) & Ct Manual Appendix F; (1) file underlying motion; (2) file LBR form F 9075-1.1.APP.SHORT.NOTICE, (3) lodge LBR form F 9075-.1.ORDER.SHORT.NOTICE, and (4) serve the judge's copy by personal delivery or overnight mail no later than 24 hours after the document is filed. Do not put a hearing date on the application or under underlying motion. If the application is granted, the court will notify you of: (1) the hearing date and time, (2) the manner of service required for notice of the hearing and all other required documents, and (3) the deadlines for filing and serving any opposition to the motion and any replies in support of the motion.

- 5) **Inquiries as to Whether to Judge Zurzolo Requires Specific Procedures or Forms:** All procedures and required forms specific to Judge Zurzolo are on his webpage at www.cacb.uscourts.gov. Other than procedures/forms listed there, Judge Zurzolo requires compliance with FRBP and LBR rules.
- 4) **Problems Filing or Lodging Documents:** If you have an issue with electronically filing or lodging a document, please call the CM/ECF Help desk at 213-894-2365. If you received an email about making an error on a docket, or with the format of an order please contact Judge Zurzolo's courtroom deputy (Mrs. Johnson) at 213-894-5855. Do not call chambers personnel, they will not have the information technical or otherwise, to assist you.

B. PHONE CALLS THAT MUST BE MADE BY AN ATTORNEY WHO IS KNOWLEDGEABLE ABOUT THE CASE OR PROCEEDING, UNLESS SOMEONE IS NOT REPRESENTED BY AN ATTORNEY

- 1) **Status of Order:** First, verify you did not receive an email indicating the order was marked unused. Do not leave a message if you received an email. Court Manual Sec 4 provides instructions on lodging proposed orders. If no rejection email was received, and **at least 5 court days** have elapsed since the order was lodged, you may leave a message stating the date the order was lodged, case or adversary proceeding number, name of the debtor, and a direct phone number at which you may be reached. Please do not call the Courtroom Deputy, or other Clerk's Office staff, about the status of an order unless you are certain that they sent you an email and you have a question about that email.
- 2) **Requesting Emergency Hearing:** If you have a true emergency requiring a hearing on less than 48 hours notice under LBR 9075-1(a), follow **all** of these instructions: (1) **before** calling chambers, be prepared with this "Required Information": (a) Name of Debtor(s), (b) applicable bankruptcy case or adversary proceeding number, (c) identity and role of party seeking relief, (d) relief being sought by the motion(s), and (e) specific need for the motion(s) to be heard within 48 hours. (2) Call Judge Zurzolo's law clerk: First call Judy Villa at (213) 894-3635, if no answer is received, call Jeff Cozad at (213) 894-3755. (3) If neither of the law clerks answer your call, do **all** of the following: (a) leave a message with the Required Information for **both** Judy Villa and Jeff Cozad; and (b) email the Required Information to **both** Judy Villa at Judy_Villa@cacb.uscourts.gov and Jeff Cozad at Jeffrey_Cozad@cacb.uscourts.gov. One of the law clerks will call you to discuss the situation and determine whether the Court will set a hearing on an emergency motion basis. (These are the same instructions listed in the "INSTRUCTIONS FOR REQUESTING AN EMERGENCY HEARING" on Judge Zurzolo's section of the website at www.cacb.uscourts.gov.)

C. PHONE CALLS THAT MAY BE MADE BY A NON-ATTORNEY

- 1) **Requesting Second Call:** If you are calling to place a matter on second call, please identify the calendar number of your matter by checking Judge Zurzolo's posted calendar for Tentative Rulings on the court's website, www.cacb.uscourts.gov. Please indicate how late the attorney will arrive, the reason for being late, the party that the attorney represents and whether you've notified other attorneys who are appearing on the same matter.
- 2) **Requesting Telephonic Appearance:** If you are calling to request an appearance by telephone, Judge Zurzolo requires advance approval. Please read the judge's instructions on his section of the Court's website, www.cacb.uscourts.gov.