

STANDING PROCEDURES FOR MOTIONS IN LIMINE
DIVISION 40

*THE FOLLOWING STANDING PROCEDURES FOR MOTIONS IN LIMINE ARE
ADOPTED FOR ORANGE COUNTY CIRCUIT CIVIL DIVISION 40*

Certain procedures will expedite and simplify rulings on Motions in Limine and assist in the administration of justice in Division 40. Accordingly, as part of and as a supplement to the Order on Case Management Conference (OCMC) and/or the Uniform Order Setting Case for Jury Trial, Pre-trial Conference and Requiring Pretrial Matters to be Completed (the UNIFORM ORDER), the following Standing Procedures for Motions in Limine are adopted and apply to all Motions in Limine filed in Division 40:

1. Any Motion in Limine must be filed no later than the timeframe set forth in the OCMC and/or UNIFORM ORDER unless extended by this Court.
2. Before setting Motions in Limine for hearing, counsel (not support staff), must meet either by telephone or in person and confer on each and every evidentiary matter addressed in the motion.
3. After the meeting, counsel filing the Motion in Limine must prepare and file a stipulation confirming in writing the matters that are agreed to.
4. After the meet and confer requirement has been satisfied, counsel filing the Motion(s) in Limine must submit to the Court a written memorandum of law, with supporting case law:
 - a. Identifying each item in the Motion(s) in Limine that has not been agreed to by opposing counsel at the meet and confer; and
 - b. Setting forth any arguments and case law in support of the disputed issue(s).

Opposing counsel will have seven days to file a written response if they wish. A copy of the motion, memorandum, and response must be provided to the Court (chambers) by email to 40orange@ninthcircuit.org. The Court will review the memorandums and responses thereto, if any, and either;

- a. Rule without a hearing; or
- b. Direct that a hearing be set. The moving party must send out the notice of hearing and specifically set forth in the "Notice" the specific matters that remain in dispute and that will be submitted to the Court for resolution. No additional case law will be considered that

has not been set forth in the previously submitted memorandums or responses unless that case law was issued subsequent to the submittal of the memorandums or responses.

5. Any Motions in Limine not timely filed or not discussed at the meet and confer or (if unresolved) not set for hearing will be considered abandoned.
6. The party filing the Motion in Limine will prepare the proposed order on any contested hearing reflecting the Court's rulings.
7. All counsel are reminded that rulings on Motions in Limine are non-final orders subject to modification during trial as evidence is presented.