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Superior Court of California
County of Los Angeles

SEP 25 2015

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By: Judi Lara, Deputy

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11 Attorneys for Plaintiff,
12 Consumer Advocacy Group, Inc.

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **COUNTY OF LOS ANGELES**

15 CONSUMER ADVOCACY GROUP, INC.,
16 in the public interest,

17 Plaintiff,

18 v.

19 THE DICKLER CORPORATION, a
20 California Corporation; CHEF'S TOYS,
21 INC., a California Corporation; and DOES 1-
22 20;

23 Defendants.

24 CASE NO.

25 **BC 5 95 877**

26 COMPLAINT FOR PENALTY AND
27 INJUNCTION

28 Violation of Proposition 65, the Safe
Drinking Water and Toxic Enforcement
Act of 1986 (*Health & Safety Code*, §
25249.5, *et seq.*)

ACTION IS AN UNLIMITED CIVIL
CASE (exceeds \$25,000)

Plaintiff CONSUMER ADVOCACY GROUP, INC. alleges a cause of action against
Defendants THE DICKLER CORPORATION, CHEF'S TOYS, INC. and DOES 1-20 as
follows:

THE PARTIES

1. Plaintiff CONSUMER ADVOCACY GROUP, INC. ("Plaintiff" or "CAG") is an organization qualified to do business in the State of California. CAG is a person within

COPY

1 the meaning of Health and Safety Code section 25249.11, subdivision (a). CAG, acting
2 as a private attorney general, brings this action in the public interest as defined under
3 Health and Safety Code section 25249.7, subdivision (d).

4 2. Defendant THE DICKLER CORPORATION. ("DICKLER") is a California Corporation
5 doing business in the State of California at all relevant times herein.

6 3. Defendant CHEF'S TOYS, INC. ("CHEF") is a California Corporation doing business in
7 the State of California at all relevant times herein.

8 4. Plaintiff is presently unaware of the true names and capacities of defendants DOES 1-20,
9 and therefore sues these defendants by such fictitious names. Plaintiff will amend this
10 complaint to allege their true names and capacities when ascertained. Plaintiff is
11 informed, believes, and thereon alleges that each fictitiously named defendant is
12 responsible in some manner for the occurrences herein alleged and the damages caused
13 thereby.

14 5. At all times mentioned herein, the term "Defendants" includes DICKLER, CHEF and
15 DOES 1-20.

16 6. Plaintiff is informed and believes, and thereon alleges that each of the Defendants at all
17 times mentioned herein have conducted business within the State of California.

18 7. Upon information and belief, at all times relevant to this action, each of the Defendants,
19 including DOES 1-20, was an agent, servant, or employee of each of the other
20 Defendants. In conducting the activities alleged in this Complaint, each of the
21 Defendants was acting within the course and scope of this agency, service, or
22 employment, and was acting with the consent, permission, and authorization of each of
23 the other Defendants. All actions of each of the Defendants alleged in this Complaint
24 were ratified and approved by every other Defendant or their officers or managing agents.
25 Alternatively, each of the Defendants aided, conspired with and/or facilitated the alleged
26 wrongful conduct of each of the other Defendants.

27 8. Plaintiff is informed, believes, and thereon alleges that at all relevant times, each of the
28 Defendants was a person doing business within the meaning of Health and Safety Code

1 section 25249.11, subdivision (b), and that each of the Defendants had ten (10) or more
2 employees at all relevant times.

3 **JURISDICTION**

4 9. The Court has jurisdiction over this lawsuit pursuant to California Constitution Article
5 VI, Section 10, which grants the Superior Court original jurisdiction in all causes except
6 those given by statute to other trial courts. This Court has jurisdiction over this action
7 pursuant to Health and Safety Code section 25249.7, which allows enforcement of
8 violations of Proposition 65 in any Court of competent jurisdiction.

9 10. This Court has jurisdiction over Defendants named herein because Defendants either
10 reside or are located in this State or are foreign corporations authorized to do business in
11 California, are registered with the California Secretary of State, or who do sufficient
12 business in California, have sufficient minimum contacts with California, or otherwise
13 intentionally avail themselves of the markets within California through their manufacture,
14 distribution, promotion, marketing, or sale of their products within California to render
15 the exercise of jurisdiction by the California courts permissible under traditional notions
16 of fair play and substantial justice.

17 11. Venue is proper in the County of Los Angeles because one or more of the instances of
18 wrongful conduct occurred, and continues to occur, in the County of Los Angeles and/or
19 because Defendants conducted, and continue to conduct, business in the County of Los
20 Angeles with respect to the consumer product that is the subject of this action.

21 **BACKGROUND AND PRELIMINARY FACTS**

22 12. In 1986, California voters approved an initiative to address growing concerns about
23 exposure to toxic chemicals and declared their right "[t]o be informed about exposures to
24 chemicals that cause cancer, birth defects, or other reproductive harm." Ballot Pamp.,
25 Proposed Law, Gen. Elec. (Nov. 4, 1986) at p. 3. The initiative, The Safe Drinking
26 Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code sections
27 25249.5, *et seq.* ("Proposition 65"), helps to protect California's drinking water sources
28 from contamination, to allow consumers to make informed choices about the products

1 they buy, and to enable persons to protect themselves from toxic chemicals as they see
2 fit.

3 13. Proposition 65 requires the Governor of California to publish a list of chemicals known to
4 the state to cause cancer, birth defects, or other reproductive harm. *Health & Safety Code*
5 § 25249.8. The list, which the Governor updates at least once a year, contains over 700
6 chemicals and chemical families. Proposition 65 imposes warning requirements and
7 other controls that apply to Proposition 65-listed chemicals.

8 14. All businesses with ten (10) or more employees that operate or sell products in California
9 must comply with Proposition 65. Under Proposition 65, businesses are: (1) prohibited
10 from knowingly discharging Proposition 65-listed chemicals into sources of drinking
11 water (*Health & Safety Code* § 25249.5), and (2) required to provide "clear and
12 reasonable" warnings before exposing a person, knowingly and intentionally, to a
13 Proposition 65-listed chemical (*Health & Safety Code* § 25249.6).

14 15. Proposition 65 provides that any person "violating or threatening to violate" the statute
15 may be enjoined in any court of competent jurisdiction. *Health & Safety Code* § 25249.7.
16 "Threaten to violate" means "to create a condition in which there is a substantial
17 probability that a violation will occur." *Health & Safety Code* § 25249.11(e).
18 Defendants are also liable for civil penalties of up to \$2,500.00 per day per violation,
19 recoverable in a civil action. *Health & Safety Code* § 25249.7(b).

20 16. Plaintiff identified certain practices of manufacturers and distributors of Diethyl Hexyl
21 Phthalate, also known as Bis (2-ethylhexyl) phthalate ("DEHP") -bearing products of
22 exposing, knowingly and intentionally, persons in California to the Proposition 65-listed
23 chemicals of such products without first providing clear and reasonable warnings of such
24 to the exposed persons prior to the time of exposure. Plaintiff later discerned that
25 Defendants engaged in such practice.

26 17. On January 1, 1988, the Governor of California added DEHP to the list of chemicals
27 known to the State to cause cancer, and on October 24, 2003, the Governor added DEHP
28 to the list of chemicals known to the State to cause developmental male reproductive

1 toxicity. Pursuant to Health and Safety Code sections 25249.9 and 25249.10, twenty (20)
2 months after addition of DEHP to the list of chemicals known to the State to cause
3 reproductive toxicity, DEHP became fully subject to Proposition 65 warning
4 requirements and discharge prohibitions.

5 **SATISFACTION OF PRIOR NOTICE**

- 6 18. On or about March 9, 2015, Plaintiff gave notice of alleged violations of Health and
7 Safety Code section 25249.6, concerning consumer products exposures, subject to a
8 private action to DICKLER, CHEF and to the California Attorney General, County
9 District Attorneys, and City Attorneys for each city containing a population of at least
10 750,000 people in whose jurisdictions the violations allegedly occurred, concerning the
11 product Kitchen Utensils containing DEHP.
- 12 19. Before sending the notice of alleged violations, Plaintiff investigated the consumer
13 products involved, the likelihood that such products would cause users to suffer
14 significant exposures to DEHP and the corporate structure of each of the Defendants.
- 15 20. Plaintiff's notice of alleged violation included a Certificate of Merit executed by the
16 attorney for the noticing party, CAG. The Certificate of Merit stated that the attorney for
17 Plaintiff who executed the certificate had consulted with at least one person with relevant
18 and appropriate expertise who reviewed data regarding the exposures to DEHP the
19 subject Proposition 65-listed chemicals of this action. Based on that information, the
20 attorney for Plaintiff who executed the Certificate of Merit believed there was a
21 reasonable and meritorious case for this private action. The attorney for Plaintiff attached
22 to the Certificate of Merit served on the Attorney General the confidential factual
23 information sufficient to establish the basis of the Certificate of Merit.
- 24 21. Plaintiff's notices of alleged violations also included a Certificate of Service and a
25 document entitled "The Safe Drinking Water & Toxic Enforcement Act of 1986
26 (Proposition 65) A Summary." *Health & Safety Code § 25249.7(d)*.
- 27
28

1 22. Plaintiff is commencing this action more than ~~sixty~~ (60) days from the dates that Plaintiff
2 gave notices of the alleged violation to DICKLER, CHEF and the public prosecutors
3 referenced in Paragraph 18.

4 23. Plaintiff is informed, believes, and thereon alleges that neither the Attorney General, nor
5 any applicable district attorney or city attorney has commenced and is diligently
6 prosecuting an action against the Defendants.

7 **FIRST CAUSE OF ACTION**

8 (By CONSUMER ADVOCACY GROUP, INC. and against DICKLER, CHEF and DOES
9 1-20 for Violations of Proposition 65, The Safe Drinking Water and Toxic Enforcement Act
of 1986 (*Health & Safety Code*, §§ 25249.5, *et seq.*))

10 **Fish Pliers**

11 24. Plaintiff CONSUMER ADVOCACY GROUP, INC. repeats and incorporates by
12 reference paragraphs 1 through 23 of this complaint as though fully set forth herein. Each
13 of the Defendants is, and at all times mentioned herein was, a manufacturer, distributor,
14 promoter, or retailer of Fish Pliers with Santoprene Grips, which includes but is not
15 limited to, "Messermeister Fish Plier, FP 525, "SANTOPRENE HANDLE FOR SURE
16 GRIP", "MADE IN CHINA" UPC: 0 98872 15251 4" ("FISH PLIERS").

17 25. FISH PLIERS contain DEHP.

18 26. Defendants knew or should have known that DEHP has been identified by the State of
19 California as a chemical known to cause cancer and reproductive toxicity and therefore
20 was subject to Proposition 65 warning requirements. Defendants were also informed of
21 the presence of DEHP in FISH PLIERS within Plaintiff's notice of alleged violations
22 further discussed above at Paragraph 18.

23 27. Plaintiff's allegations regarding FISH PLIERS concerns "[c]onsumer products
24 exposure[s]," which "is an exposure that results from a person's acquisition, purchase,
25 storage, consumption, or other reasonably foreseeable use of a consumer good, or any
26 exposure that results from receiving a consumer service." *Cal. Code Regs.* tit. 27, §
27
28

1 25602(b). FISH PLIERS are consumer products, and, as mentioned herein, exposures to
2 DEHP took place as a result of such normal and foreseeable use.

3 28. Plaintiff is informed, believes, and thereon alleges that between March 9, 2012 and the
4 present, each of the Defendants knowingly and intentionally exposed their California
5 consumers and users of FISH PLIERS, which Defendants manufactured, distributed, or
6 sold as mentioned above, to DEHP, without first providing any type of clear and
7 reasonable warning of such to the exposed persons before the time of exposure.

8 Defendants have distributed and sold FISH PLIERS in California. Defendants know and
9 intend that California consumers will use FISH PLIERS, thereby exposing them to
10 DEHP. Defendants thereby violated Proposition 65.

11 29. The principal routes of exposure are through dermal contact, ingestion and inhalation.
12 Persons sustain exposures by handling FISH PLIERS without wearing gloves or any
13 other personal protective equipment, or by touching bare skin or mucous membranes with
14 gloves after handling FISH PLIERS, as well as through direct and indirect hand to mouth
15 contact, hand to mucous membrane, or breathing in particulate matter dispersed from
16 FISH PLIERS.

17 30. Plaintiff is informed, believes, and thereon alleges that each of Defendants' violations of
18 Proposition 65 as to FISH PLIERS have been ongoing and continuous to the date of the
19 signing of this complaint, as Defendants engaged and continue to engage in conduct
20 which violates Health and Safety Code section 25249.6, including the manufacture,
21 distribution, promotion, and sale of FISH PLIERS, so that a separate and distinct
22 violation of Proposition 65 occurred each and every time a person was exposed to DEHP
23 by FISH PLIERS as mentioned herein.

24 31. Plaintiff is informed, believes, and thereon alleges that each violation of Proposition 65
25 mentioned herein is ever continuing. Plaintiff further alleges and believes that the
26 violations alleged herein will continue to occur into the future.
27
28

1 32. Based on the allegations herein, Defendants ~~are liable for civil~~ penalties of up to
2 \$2,500.00 per day per individual exposure to DEHP from FISH PLIERS, pursuant to
3 Health and Safety Code section 25249.7(b).

4
5 **PRAYER FOR RELIEF**

6 Plaintiff demands against each of the Defendants as follows:

- 7 1. A permanent injunction mandating Proposition 65-compliant warnings;
8 2. Penalties pursuant to Health and Safety Code section 25249.7, subdivision (b);
9 3. Costs of suit;
10 4. Reasonable attorney fees and costs; and
11 5. Any further relief that the court may deem just and equitable.

12
13
14 Dated: September 25, 2015

YEROUSHALMI & YEROUSHLAMI

15
16 
17 BY: _____

18 Reuben Yeroushalmi
19 Attorneys for Plaintiff,
20 Consumer Advocacy Group, Inc.
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SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
 NOTICE OF CASE ASSIGNMENT - UNLIMITED CIVIL CASE (NON-CLASS ACTION)
 Case Number _____

BC 5 95 877

THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT


Your case is assigned for all purposes to the judge indicated below. There is more information on the reverse side of this form.

	ASSIGNED JUDGE	DEPT	ROOM		ASSIGNED JUDGE	DEPT	ROOM	
	Hon. Kevin C. Brazile	1	534		Hon. Elizabeth Allen White	48	506	
	Hon. Barbara A. Meiers	12	636		Hon. Deirdre Hill	49	509	
	Hon. Terry A. Green	14	300		Hon. Teresa A. Beaudet	50	508	
	Hon. Richard Fruin	15	307		Hon. Michael J. Raphael	51	511	
	Hon. Rita Miller	16	306		Hon. Susan Bryant-Deason	52	510	
	Hon. Richard E. Rico	17	309		Hon. Steven J. Kleifield	53	513	
	Hon. Stephanie Bowick	19	311		Hon. Ernest M. Hiroshige	54	512	
	Hon. Dalila Corral Lyons	20	310		Hon. Malcolm H. Mackey	55	515	
	Hon. Robert L. Hess	24	314		Hon. Michael Johnson	56	514	
	Hon. Yvette M. Palazuelos	28	318		Hon. Rolf M. Treu	58	516	
	Hon. Barbara Scheper	30	400		Hon. Gregory Keosian	61	732	
	Hon. Samantha Jessner	31	407		Hon. Michael L. Stern	62	600	
	Hon. Mary H. Strobel	32	406		Hon. Mark Mooney	68	617	
	Hon. Michael P. Linfield	34	408		Hon. William F. Fahey	69	621	
	Hon. Gregory Alarcon	36	410		Hon. Suzanne G. Bruguera	71	729	
	Hon. Marc Marmaro	37	413		Hon. Ruth Ann Kwan	72	731	
	Hon. Maureen Duffy-Lewis	38	412		Hon. Rafael Ongkeko	73	733	
	Hon. Elizabeth Feffer	39	415		Hon. Teresa Sanchez-Gordon	74	735	
	Hon. Michelle R. Rosenblatt	40	414		Hon. Gail Ruderman Feuer	78	730	
	Hon. Holly E. Kendig	42	416					
	Hon. Mel Red Recana	45	529		Hon. Emile H. Elias	324	CCW	
	Hon. Frederick C. Shaller	46	500		*Provisionally Complex Non-class Action Cases Assignment is Pending Complex Determination			
	Hon. Debre K. Weintraub	47	507			324	CCW	

***Complex**

All non-class action cases designated as provisionally complex are forwarded to the Supervising Judge of the Complex Litigation Program located in the Central Civil West Courthouse (600 S. Commonwealth Ave., Los Angeles 90005), for complex/non-complex determination pursuant to Local Rule 3.3(k). This procedure is for the purpose of assessing whether or not the case is complex within the meaning of California Rules of Court, rule 3.400. Depending on the outcome of that assessment, the case may be reassigned to one of the judges of the Complex Litigation Program or reassigned randomly to a court in the Central District.

Given to the Plaintiff/Cross-Complainant/Attorney of Record on SEP 25 2015 SHERRI R. CARTER, Executive Officer/Clerk

By  _____, Deputy Clerk

INSTRUCTIONS FOR HANDLING UNLIMITED CIVIL CASES

The following critical provisions of the Chapter Three Rules, as applicable in the Central District, are summarized for your assistance.

APPLICATION

The Chapter Three Rules were effective January 1, 1994. They apply to all general civil cases.

PRIORITY OVER OTHER RULES

The Chapter Three Rules shall have priority over all other Local Rules to the extent the others are inconsistent.

CHALLENGE TO ASSIGNED JUDGE

A challenge under Code of Civil Procedure section 170.6 must be made within **15** days after notice of assignment for all purposes to a judge, or if a party has not yet appeared, within 15 days of the first appearance.

TIME STANDARDS

Cases assigned to the Individual Calendaring Court will be subject to processing under the following time standards:

COMPLAINTS: All complaints shall be served within 60 days of filing and proof of service shall be filed within 90 days of filing.

CROSS-COMPLAINTS: Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Cross-complaints shall be served within 30 days of the filing date and a proof of service filed within 60 days of the filing date.

A Status Conference will be scheduled by the assigned Independent Calendar Judge no later than 270 days after the filing of the complaint. Counsel must be fully prepared to discuss the following issues: alternative dispute resolution, bifurcation, settlement, trial date, and expert witnesses.

FINAL STATUS CONFERENCE

The Court will require the parties at a status conference not more than 10 days before the trial to have timely filed and served all motions in limine, bifurcation motions, statements of major evidentiary issues, dispositive motions, requested jury instructions, and special jury instructions and special jury verdicts. These matters may be heard and resolved at this conference. At least 5 days before this conference, counsel must also have exchanged lists of exhibits and witnesses and have submitted to the court a brief statement of the case to be read to the jury panel as required by Chapter Eight of the Los Angeles Superior Court Rules.

SANCTIONS

The court will impose appropriate sanctions for the failure or refusal to comply with Chapter Three Rules, orders made by the Court, and time standards or deadlines established by the Court or by the Chapter Three Rules. Such sanctions may be on a party or if appropriate on counsel for the party.

This is not a complete delineation of the Chapter Three Rules, and adherence only to the above provisions is therefore not a guarantee against the imposition of sanctions under Trial Court Delay Reduction. Careful reading and compliance with the actual Chapter Rules is absolutely imperative.

VOLUNTARY EFFICIENT LITIGATION STIPULATIONS

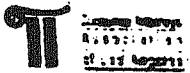


Superior Court of California
County of Los Angeles

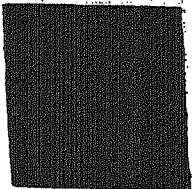


Los Angeles County
Bar Association
Litigation Section

Los Angeles County
Bar Association Labor and
Employment Law Section



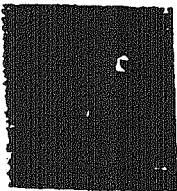
Consumer Attorneys
Association of Los Angeles



Southern California
Defense Counsel



Association of
Business Trial Lawyers



California Employment
Lawyers Association

The Early Organizational Meeting Stipulation, Discovery Resolution Stipulation, and Motions in Limine Stipulation are voluntary stipulations entered into by the parties. The parties may enter into one, two, or all three of the stipulations; however, they may not alter the stipulations as written, because the Court wants to ensure uniformity of application. These stipulations are meant to encourage cooperation between the parties and to assist in resolving issues in a manner that promotes economic case resolution and judicial efficiency.

The following organizations endorse the goal of promoting efficiency in litigation and ask that counsel consider using these stipulations as a voluntary way to promote communications and procedures among counsel and with the court to fairly resolve issues in their cases.

◆ Los Angeles County Bar Association Litigation Section ◆

◆ Los Angeles County Bar Association
Labor and Employment Law Section ◆

◆ Consumer Attorneys Association of Los Angeles ◆

◆ Southern California Defense Counsel ◆

◆ Association of Business Trial Lawyers ◆

◆ California Employment Lawyers Association ◆

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:	STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FAX NO. (Optional):
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES		
COURTHOUSE ADDRESS:		
PLAINTIFF:		
DEFENDANT:		
STIPULATION – DISCOVERY RESOLUTION		CASE NUMBER:

This stipulation is intended to provide a fast and informal resolution of discovery issues through limited paperwork and an informal conference with the Court to aid in the resolution of the issues.

The parties agree that:

1. Prior to the discovery cut-off in this action, no discovery motion shall be filed or heard unless the moving party first makes a written request for an Informal Discovery Conference pursuant to the terms of this stipulation.
2. At the Informal Discovery Conference the Court will consider the dispute presented by parties and determine whether it can be resolved informally. Nothing set forth herein will preclude a party from making a record at the conclusion of an Informal Discovery Conference, either orally or in writing.
3. Following a reasonable and good faith attempt at an informal resolution of each issue to be presented, a party may request an Informal Discovery Conference pursuant to the following procedures:
 - a. The party requesting the Informal Discovery Conference will:
 - i. File a Request for Informal Discovery Conference with the clerk's office on the approved form (copy attached) and deliver a courtesy, conformed copy to the assigned department;
 - ii. Include a brief summary of the dispute and specify the relief requested; and
 - iii. Serve the opposing party pursuant to any authorized or agreed method of service that ensures that the opposing party receives the Request for Informal Discovery Conference no later than the next court day following the filing.
 - b. Any Answer to a Request for Informal Discovery Conference must:
 - i. Also be filed on the approved form (copy attached);
 - ii. Include a brief summary of why the requested relief should be denied;

SHORT TITLE:

CASE NUMBER:

- iii. Be filed within two (2) court days of receipt of the Request; and
 - iv. Be served on the opposing party pursuant to any authorized or agreed upon method of service that ensures that the opposing party receives the Answer no later than the next court day following the filing.
- c. No other pleadings, including but not limited to exhibits, declarations, or attachments, will be accepted.
- d. If the Court has not granted or denied the Request for Informal Discovery Conference within ten (10) days following the filing of the Request, then it shall be deemed to have been denied. If the Court acts on the Request, the parties will be notified whether the Request for Informal Discovery Conference has been granted or denied and, if granted, the date and time of the Informal Discovery Conference, which must be within twenty (20) days of the filing of the Request for Informal Discovery Conference.
- e. If the conference is not held within twenty (20) days of the filing of the Request for Informal Discovery Conference, unless extended by agreement of the parties and the Court, then the Request for the Informal Discovery Conference shall be deemed to have been denied at that time.
4. If (a) the Court has denied a conference or (b) one of the time deadlines above has expired without the Court having acted or (c) the Informal Discovery Conference is concluded without resolving the dispute, then a party may file a discovery motion to address unresolved issues.
5. The parties hereby further agree that the time for making a motion to compel or other discovery motion is tolled from the date of filing of the Request for Informal Discovery Conference until (a) the request is denied or deemed denied or (b) twenty (20) days after the filing of the Request for Informal Discovery Conference, whichever is earlier, unless extended by Order of the Court.
- It is the understanding and intent of the parties that this stipulation shall, for each discovery dispute to which it applies, constitute a writing memorializing a "specific later date to which the propounding [or demanding or requesting] party and the responding party have agreed in writing," within the meaning of Code Civil Procedure sections 2030.300(c), 2031.320(c), and 2033.290(c).
6. Nothing herein will preclude any party from applying *ex parte* for appropriate relief, including an order shortening time for a motion to be heard concerning discovery.
7. Any party may terminate this stipulation by giving twenty-one (21) days notice of intent to terminate the stipulation.
8. References to "days" mean calendar days, unless otherwise noted. If the date for performing any act pursuant to this stipulation falls on a Saturday, Sunday or Court holiday, then the time for performing that act shall be extended to the next Court day.

SHORT TITLE:	CASE NUMBER:
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The following parties stipulate:

Date:

_____ (TYPE OR PRINT NAME)



_____ (ATTORNEY FOR PLAINTIFF)

Date:

_____ (TYPE OR PRINT NAME)



_____ (ATTORNEY FOR DEFENDANT)

Date:

_____ (TYPE OR PRINT NAME)



_____ (ATTORNEY FOR DEFENDANT)

Date:

_____ (TYPE OR PRINT NAME)



_____ (ATTORNEY FOR DEFENDANT)

Date:

_____ (TYPE OR PRINT NAME)



_____ (ATTORNEY FOR _____)

Date:

_____ (TYPE OR PRINT NAME)



_____ (ATTORNEY FOR _____)

Date:

_____ (TYPE OR PRINT NAME)



_____ (ATTORNEY FOR _____)

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:		STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.:		FAX NO. (Optional):	
E-MAIL ADDRESS (Optional):			
ATTORNEY FOR (Name):			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES			
COURTHOUSE ADDRESS:			
PLAINTIFF:			
DEFENDANT:			
STIPULATION – EARLY ORGANIZATIONAL MEETING			CASE NUMBER:

This stipulation is intended to encourage cooperation among the parties at an early stage in the litigation and to assist the parties in efficient case resolution.

The parties agree that:

1. The parties commit to conduct an initial conference (in-person or via teleconference or via videoconference) within 15 days from the date this stipulation is signed, to *discuss and consider whether there can be agreement on the following*:
 - a. Are motions to challenge the pleadings necessary? If the issue can be resolved by amendment as of right, or if the Court would allow leave to amend, could an amended complaint resolve most or all of the issues a demurrer might otherwise raise? If so, the parties agree to work through pleading issues so that a demurrer need only raise issues they cannot resolve. Is the issue that the defendant seeks to raise amenable to resolution on demurrer, or would some other type of motion be preferable? Could a voluntary targeted exchange of documents or information by any party cure an uncertainty in the pleadings?
 - b. Initial mutual exchanges of documents at the "core" of the litigation. (For example, in an employment case, the employment records, personnel file and documents relating to the conduct in question could be considered "core." In a personal injury case, an incident or police report, medical records, and repair or maintenance records could be considered "core.");
 - c. Exchange of names and contact information of witnesses;
 - d. Any insurance agreement that may be available to satisfy part or all of a judgment, or to indemnify or reimburse for payments made to satisfy a judgment;
 - e. Exchange of any other information that might be helpful to facilitate understanding, handling, or resolution of the case in a manner that preserves objections or privileges by agreement;
 - f. Controlling issues of law that, if resolved early, will promote efficiency and economy in other phases of the case. Also, when and how such issues can be presented to the Court;
 - g. Whether or when the case should be scheduled with a settlement officer, what discovery or court ruling on legal issues is reasonably required to make settlement discussions meaningful, and whether the parties wish to use a sitting judge or a private mediator or other options as

SHORT TITLE:	CASE NUMBER:
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discussed in the "Alternative Dispute Resolution (ADR) Information Package" served with the complaint;

- h. Computation of damages, including documents, not privileged or protected from disclosure, on which such computation is based;
 - i. Whether the case is suitable for the Expedited Jury Trial procedures (see information at www.lasuperiorcourt.org under "Civil" and then under "General Information").
2. The time for a defending party to respond to a complaint or cross-complaint will be extended to _____ (INSERT DATE) for the complaint, and _____ (INSERT DATE) for the cross-complaint, which is comprised of the 30 days to respond under Government Code § 68616(b), and the 30 days permitted by Code of Civil Procedure section 1054(a), good cause having been found by the Civil Supervising Judge due to the case management benefits provided by this Stipulation. A copy of the General Order can be found at www.lasuperiorcourt.org under "Civil", click on "General Information", then click on "Voluntary Efficient Litigation Stipulations".
 3. The parties will prepare a joint report titled "Joint Status Report Pursuant to Initial Conference and Early Organizational Meeting Stipulation, and if desired, a proposed order summarizing results of their meet and confer and advising the Court of any way it may assist the parties' efficient conduct or resolution of the case. The parties shall attach the Joint Status Report to the Case Management Conference statement, and file the documents when the CMC statement is due.
 4. References to "days" mean calendar days, unless otherwise noted. If the date for performing any act pursuant to this stipulation falls on a Saturday, Sunday or Court holiday, then the time for performing that act shall be extended to the next Court day

The following parties stipulate:

Date: _____ (TYPE OR PRINT NAME)	➤	_____ (ATTORNEY FOR PLAINTIFF)
Date: _____ (TYPE OR PRINT NAME)	➤	_____ (ATTORNEY FOR DEFENDANT)
Date: _____ (TYPE OR PRINT NAME)	➤	_____ (ATTORNEY FOR DEFENDANT)
Date: _____ (TYPE OR PRINT NAME)	➤	_____ (ATTORNEY FOR DEFENDANT)
Date: _____ (TYPE OR PRINT NAME)	➤	_____ (ATTORNEY FOR _____)
Date: _____ (TYPE OR PRINT NAME)	➤	_____ (ATTORNEY FOR _____)
Date: _____ (TYPE OR PRINT NAME)	➤	_____ (ATTORNEY FOR _____)

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:		STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.:		FAX NO. (Optional):	
E-MAIL ADDRESS (Optional):			
ATTORNEY FOR (Name):			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES			
COURTHOUSE ADDRESS:			
PLAINTIFF:			
DEFENDANT:			
INFORMAL DISCOVERY CONFERENCE (pursuant to the Discovery Resolution Stipulation of the parties)			CASE NUMBER:

1. This document relates to:

Request for Informal Discovery Conference
 Answer to Request for Informal Discovery Conference

2. Deadline for Court to decide on Request: _____ (insert date 10 calendar days following filing of the Request).

3. Deadline for Court to hold Informal Discovery Conference: _____ (insert date 20 calendar days following filing of the Request).

4. For a Request for Informal Discovery Conference, briefly describe the nature of the discovery disputes, including the facts and legal arguments at issue. For an Answer to Request for Informal Discovery Conference, briefly describe why the Court should deny the requested discovery, including the facts and legal arguments at issue.

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:		STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.:		FAX NO. (Optional):	
E-MAIL ADDRESS (Optional):			
ATTORNEY FOR (Name):			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES			
COURTHOUSE ADDRESS:			
PLAINTIFF:			
DEFENDANT:			
STIPULATION AND ORDER – MOTIONS IN LIMINE			CASE NUMBER:

This stipulation is intended to provide fast and informal resolution of evidentiary issues through diligent efforts to define and discuss such issues and limit paperwork.

The parties agree that:

1. At least ____ days before the final status conference, each party will provide all other parties with a list containing a one paragraph explanation of each proposed motion in limine. Each one paragraph explanation must identify the substance of a single proposed motion in limine and the grounds for the proposed motion.
2. The parties thereafter will meet and confer, either in person or via teleconference or videoconference, concerning all proposed motions in limine. In that meet and confer, the parties will determine:
 - a. Whether the parties can stipulate to any of the proposed motions. If the parties so stipulate, they may file a stipulation and proposed order with the Court.
 - b. Whether any of the proposed motions can be briefed and submitted by means of a short joint statement of issues. For each motion which can be addressed by a short joint statement of issues, a short joint statement of issues must be filed with the Court 10 days prior to the final status conference. Each side's portion of the short joint statement of issues may not exceed three pages. The parties will meet and confer to agree on a date and manner for exchanging the parties' respective portions of the short joint statement of issues and the process for filing the short joint statement of issues.
3. All proposed motions in limine that are not either the subject of a stipulation or briefed via a short joint statement of issues will be briefed and filed in accordance with the California Rules of Court and the Los Angeles Superior Court Rules.

SHORT TITLE:	CASE NUMBER:
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The following parties stipulate:

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

➤ _____
(ATTORNEY FOR PLAINTIFF)

➤ _____
(ATTORNEY FOR DEFENDANT)

➤ _____
(ATTORNEY FOR DEFENDANT)

➤ _____
(ATTORNEY FOR DEFENDANT)

➤ _____
(ATTORNEY FOR _____)

➤ _____
(ATTORNEY FOR _____)

➤ _____
(ATTORNEY FOR _____)

THE COURT SO ORDERS.

Date: _____

JUDICIAL OFFICER

1201 W. Temple St
 Los Angeles, CA 90026
 Phone: (213) 353-9100
 Fax: (213) 353-9200



Attorney Services

Work order: X3465

FIRM: Yeroushalmi & Yeroushalmi

DATE: 9/25/2015

Account Code:

COURT: Stanley Mosk Courthouse - Los Angeles

Attorney: Reuben Yeroushalmi

CASE NO.:

TELEPHONE: (310) 623-1926

CASE TITLE: CAG v. The Dickler Corporation, et al.

FAX NO.: (310) 623-1930

DOCUMENTS: Complaint and Related Docs

ATTENTION:

CLAIM/FILE #: CAG v. The Dickler Corporation, et al.

EXTRA CHARGES MAY APPLY

STATUTE DATE

DO TODAY

CALWEST RECEIVED STAMP

SEP 25 2015

COURT FILING

FILE

ISSUE

CONFORM

CERTIFY

RECORD

Copy/Research

Court filing fee: \$435.00

ATTACHED

PLEASE ADVANCE

Special Instructions & Attachments:

COURT RECEIVED STAMP

PROCESS SERVICE

RECORDER

PULL FILE

CALWEST PHOTOCOPY

TELEPHONE/FAX

INDEXING

COURT SERVICE

SPECIAL P/U

DELIVERY

RUSH FILING

BAD ADDRESS

MILES

CHECK SERV. CHARGE

FEES ADVD

TOTAL

PROCESS SERVING

WITNESS FEES AMOUNT:

PLEASE INDICATE NAME EXACT
 RESIDENCE ADDRESS SERVED

LASC - FILINGS
 111 N. HILL STREET
 LOS ANGELES CA 90012

HEARINGS SET FOR:
 LAST DAY TO SERVE

DATE PAID: 09/25/15 03:21 PM
 RECEIPT #: CCH520872092

PROCESS SERVER:
 AGE:
 SEX:

CIT/CASE: BC395877
 LEA/DEF#:

PAYMENT: \$435.00 310
 RECEIVED:

CHECK: \$435.00
 CASH: \$0.00
 CHANGE: \$0.00
 CARD: \$0.00

PERSONAL SERVE
 SUBSTITUTE SERVICE
 NOT SERVED

Date: Time: SPOKE WITH: REPORT: SERVER: