

JUDGE MUND'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 Mund generally will permit attorneys to switch back and forth at will (so that the attorney who is less experienced can focus on discreet tasks 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 Mund 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. However, if the matter is not complex, Judge Mund will question whether it warrants two attorneys to be present in court.

(B) Proposed orders. Judge Mund 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, the Court 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, unless otherwise excused the parties must first meet and confer (per LBR 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 or electronically 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 Courtroom Deputy Emma Gonzalez at 818-587-2832 by phone. Follow LBR 9075-1(b). Exception: For extraordinarily urgent matters, requiring a hearing on less than 48 hours' notice, call Courtroom Deputy Emma Gonzalez at 818-587-2832 for further instructions per LBR 9075-1(a). Please note that Judge Mund has no chambers staff. If Ms. Gonzalez is not reachable, please contact the chambers of any San Fernando Valley division judge for assistance.

(E) Special Accommodations for Parties Appearing before Judge Mund. If counsel or any party appearing before Judge Mund 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 prior to the hearing date to make any necessary arrangements. Ms. Gonzalez will inform her of any necessary accommodation so that Judge Mund can manage the hearing while maintaining the privacy of the requesting party. Please note that Judge Mund has no chambers staff. If Ms. Gonzalez is not reachable, please contact the chambers

of any San Fernando Valley division judge for assistance.

(F) 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 Mund 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.

(G) Tentative Rulings. Judge Mund 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, however Judge Mund may determine that the matter is to be submitted solely on the papers and there will be no appearance or oral argument (per LBR 9013-1(j)(3)). 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.