

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES**

**Civil Division**

Southwest District, Torrance Courthouse, Department M

**25TRCV00728**

**DANIEL POWELL vs THE OCEAN TERRACE  
CONDOMINIUM ASSOCIATION**

July 9, 2025

8:30 AM

Judge: Honorable Gary Y. Tanaka  
Judicial Assistant: J. Ahn  
Courtroom Assistant: M. Fondon

CSR: None  
ERM: None  
Deputy Sheriff: None

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**APPEARANCES:**

For Plaintiff(s): Sam I. Khil (Telephonic)

For Defendant(s): Matt D Zumstein (Telephonic)

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**NATURE OF PROCEEDINGS:** Case Management Conference

Matter is called for hearing.

The Court and counsel confer regarding the status of the case.

The Court orders parties to participate in a Mandatory Settlement Conference pursuant to California Rules of Court Section 3.1380.

Mandatory Settlement Conference (MSC) is scheduled for 5/1/2026 at 09:30 AM in Department M at Torrance Courthouse.

Pursuant to an oral stipulation, a trial is set as follows:

Final Status Conference is scheduled for 7/28/2026 at 10:30 AM in Department M at Torrance Courthouse.

STANDING ORDER RE: DEPT M

FINAL STATUS CONFERENCE - TRIAL PREPARATION ORDER

THE COURT HEREBY ORDERS, AS FOLLOWS:

**1. PURPOSE OF FSC**

The purpose of the final status conference (FSC) is to verify that counsel and any self-represented parties are completely ready to proceed with the trial continuously and efficiently, from day to day, until verdict.

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**2. MEET AND CONFER**

Counsel and any self-represented parties are ordered to meet and confer prior to the FSC to exchange, discuss, and prepare for submission to the Court, at least five (5) court days in advance of the FSC, a joint trial binder(s) and joint trial exhibit binder(s). The Court will verify at the FSC that all parties/counsel have met and conferred to prepare joint trial documents. Counsel and any self-represented parties shall also meet and confer prior to the FSC to try and reasonably stipulate to a joint statement of the case, motions in limine, legal issues, authentication/foundation/admissibility of exhibits, witnesses, witness time estimates, jury instructions, and verdict forms. Parties shall be prepared to provide the Court with reasonable and accurate time estimates for trial as prescribed under Local Rule 3.25(h).

**3. TRIAL DOCUMENTS**

Unless otherwise specified, at least 5 calendar days prior to the FSC, the parties/counsel shall exchange and serve the following trial documents:

a. Trial briefs: Each party/counsel shall file a trial brief not to exceed 10 pages in length succinctly identifying: 1. The claims and defenses subject to litigation; 2. The major legal issues (with supporting points and authorities); 3. The relief claimed, and calculation of damages sought; 4. Any other information that may assist the court at trial.

b. Motions in Limine: Motions in limine are to be noticed with due statutory notice for the date of the FSC. Before filing motions in limine, the parties/counsel shall comply with the statutory notice provisions of Code of Civil Procedure section 1005 and be accompanied by the required declaration prescribed under Local Rule 3.57(a). The caption of each motion in limine shall number them consecutively. Parties filing opposition and reply papers shall identify the corresponding motion number in the caption of their papers. Separate the motion, any corresponding opposition, any corresponding reply, and any proposed order with colored paper or numbered tabs. Motions in limine will not be heard until the day of trial.

c. Joint Statement of Case: For jury trials, the parties/counsel shall work together to prepare and file a joint written statement of the case for the Court to read to the jury.

d. Joint Witness List: The parties/counsel shall work together to prepare and file a joint list of all witnesses in alphabetical order by last name that each party intends to call (excluding

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impeachment and rebuttal witnesses). The joint witness list shall identify each witness by name, specify which witnesses are experts, and estimate the length of direct examination, cross examination, and re-direct examination (if any) of each witness. The parties/counsel shall identify all potential witness scheduling issues and special requirements. The list must be signed by each counsel or non-represented litigant with the understanding that the parties can expect to be held to the estimates in accordance with Local Rule 3.25(h).

e. List of Proposed Jury Instructions (Joint and Contested): For jury trials, the parties/counsel shall jointly prepare and file a list of proposed jury instructions, organized in numerical order, specifying the instructions upon which all sides agree and the contested instructions, if any. The list of proposed jury instructions must include a space by each instruction for the judge to indicate whether the instruction was given.

f. Jury Instructions (Joint and Contested): For jury trials, the parties/counsel shall prepare a complete set of full text proposed jury instructions, editing all proposed California Civil Jury Instructions (CACI) and insert party name(s) and eliminate blanks and irrelevant materials. The parties/counsel shall prepare special instructions in a format ready for submission to the jury with the instruction number, and text only (i.e. there should be no boxes or other indication on the printed instruction itself as to the requesting party). Parties/counsel should also be prepared with an electronic flash drive containing the proposed jury instructions at the time of trial for modifications as needed. For bench trials, the parties/counsel need only submit the pertinent CACI instructions relating to each cause of action and affirmative defense.

g. Joint Special Verdict Form(s): For both jury and bench trials, the parties/counsel shall prepare and jointly file a proposed special verdict form acceptable to all sides. If the parties/counsel cannot agree on a joint special verdict form, each party must separately file a proposed verdict form. Verdict forms are required even though the parties may waive jury.

h. Joint Exhibit List: The parties/counsel shall prepare and file a joint exhibit list organized with columns identifying each exhibit and specifying each party's evidentiary objections, if any, to admission of each exhibit. The parties/counsel shall meet and confer in an effort to resolve objections to the authenticity/foundation/admissibility of each exhibit. The exhibits must be bated stamped and tabbed with exhibit numbers that correspond to those on the joint exhibit list.

i. Page and Line Designation for Deposition and Former Testimony: If the parties/counsel intend to use deposition testimony or former trial testimony in lieu of any witnesses live testimony, the parties/counsel shall meet and confer and jointly prepare and file a chart with columns for each

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of the following: (1) The line and page designation of the deposition or former testimony requested for use, (2) Objections, (3) Counter designations, (4) Any responses, and (5) Court ruling.

j. Proposed Voir Dire Questions: If there are unique issues a party wishes to have the Court task, a short list of questions may be proposed. (The Court initially conducts voir dire, followed by parties/counsel.)

#### **4. TRIAL BINDERS (REQUIRED)**

The parties/counsel shall jointly prepare and lodge with the Court at the FSC, a trial binder containing the above described trial documents, which shall be tabbed and organized into three-ring binders with a table of contents, as noted below and in the following order:

Tab A: Trial Briefs.

Tab B: Motions in Limine, Oppositions, and Replies

Tab C: Joint Statement of Case (for jury trials only)

Tab D: Joint Witness List with Time Estimates.

Tab E: Joint Exhibit List.

Tab F: Proposed Jury Instructions List (for jury trials only).

Tab G: Joint and Contested Jury Instructions

Tab H: Joint and/or Contested Special Verdict Form(s).

Tab I: Joint Chart of Page and Line Designations for Deposition and Former Testimony.

Tab J: Copies of Operative Pleadings (Complaint, Answer, Cross-Complaint, Answer).

#### **5. TRIAL EXHIBIT BINDERS (REQUIRED)**

Three sets of trial exhibit binders must be submitted to the Court at the time of trial (i.e., set for the trial court, clerk, and witnesses). Exhibit binders must be tabbed, internally paginated by document, and properly marked and identified as trial exhibits, organized numerically in three-ring binders. The parties/counsel shall mark all non-documentary exhibits and insert a simple written description of the exhibit with a corresponding numerical tab in the exhibit binder. The parties/counsel shall have a joint signed exhibit list and electronic copies of their respective exhibits at the FSC, then the parties/counsel will not be required to produce exhibit binders at the FSC. However, hard copy exhibit binders are required to be in the courtroom on the day trial commences. Original deposition transcripts are to be lodged with the clerk on the first day of trial.

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**6. PERSONAL INJURY HUB CASES AND LONG CAUSE CASES**

All Personal Injury (PI) Hub Court cases must comply with the standing orders of the PI Hub, including but not limited to: (1) FSC Standing Orders and (2) Mandatory Settlement Conference Orders. Cases with estimates of over 20 days must complete Department 1's Long Cause packet. Counsel and parties are ordered to contact the PI Hub and/or Department 1 for the most current orders. Counsel and parties must comply with the specific requests of the PI Hub Court and Department 1's Long Cause orders which shall take precedence over Department M's orders to the extent that they differ.

**7. FAILURE TO COMPLY WITH FSC OBLIGATIONS**

The Court has discretion to require any party/counsel who fails or refuses to comply with this Standing Order to show cause why the court should not impose sanctions, including, but not limited to, monetary, evidentiary, and/or issue sanctions.

Dated: 1/31/2024

GARY Y. TANAKA  
Judge of the Superior Court

Jury Trial is scheduled for 8/4/2026 at 10:30 AM in Department M at Torrance Courthouse.

The Court invites the parties to a Voluntary Settlement Conference with this Court or a Mandatory Settlement Conference with one of Southwest District Judicial Officer.

Counsel may schedule a Voluntary Settlement Conference with the Judicial Assistant in this department and obtain further instructions.

Notice is waived.

Certificate of Service is attached.