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*Attorneys for Plaintiff,*

MARK J. GERAGOS

## SUPERIOR COURT OF THE STATE OF CALIFORNIA

### LOS ANGELES COUNTY—STANLEY MOSK COURTHOUSE

CASE NO.: 20STCV14073

MARK J. GERAGOS, an individual;

Plaintiff,

vs.

**COMPLAINT FOR DECLARATORY  
RELIEF**

THE TRAVELERS INDEMNITY  
COMPANY OF CONNECTICUT , a  
corporation; ERIC GARCETTI, an  
individual, and; DOES 1 to 25, inclusive,

Defendants.

GERAGOS & GERAGOS, APC  
HISTORIC ENGINE CO. No. 28  
644 SOUTH FIGUEROA STREET  
LOS ANGELES, CALIFORNIA 90017-3411

1 Plaintiff Mark J. Geragos (“Mr. Geragos” or “Plaintiff”), brings this Complaint,  
2 alleging against Defendants The Travelers Indemnity Company of Connecticut (“Travelers”),  
3 Eric Garcetti (“Garcetti”), and DOES 1 through 25 (collectively as “Defendants”) as follows:

4 **PARTIES**

5 1. At all relevant times, Plaintiff Mark J. Geragos is an individual who  
6 resides in Los Angeles County. Plaintiff owns, operates, and/or manages a small  
7 commercial business retail space comprised of two separate businesses, including a  
8 bookstore and a law office located at 415 East Broadway, Glendale, California 91206.

9 2. At all relevant times, Defendant The Travelers Indemnity Company of  
10 Connecticut (“Travelers”) is a corporation organized under the laws of Connecticut, and  
11 licensed by the State of California to do business and doing business in the County of Los  
12 Angeles, California (COA #6168) subscribing to Policy Number 680-1H922632 (the  
13 “Policy”) issued to Plaintiff for the period of May 27, 2019 through May 27, 2020.  
14 Travelers is transacting the business of insurance in the state of California and the basis of  
15 this suit arises out of such conduct.

16 3. At all relevant times, Defendant Eric Garcetti is an individual who is being  
17 named in his official capacity as the Mayor of Los Angeles.

18 **JURISDICTION AND VENUE**

19 4. The Court has subject matter jurisdiction over the matter alleged herein.

20 5. Plaintiff is informed and believes, and thereon alleges, that this Court is the  
21 proper venue for trial because the acts and/or omissions complained of took place, in whole  
22 or in part, within the venue of this Court. Further, Defendants are located and conduct  
23 business here, and witnesses are located here.

24 **FACTUAL BACKGROUND**

25 6. On or about May 27, 2019, Plaintiff entered into a contract of insurance with  
26 Travelers, whereby Plaintiff agreed to make payments to Travelers in exchange for  
27 Travelers’ promise to indemnify Plaintiff for losses including, but not limited to, business  
28 income losses at its commercial business retail space (hereinafter “Insured Property”) located

1 at 415 East Broadway, Glendale, California 91206.

2 7. The Insured Property consists of two commercial businesses, including a  
3 bookstore and a law office. The entire commercial office space is owned, managed, and/or  
4 controlled by Plaintiff.

5 8. The Insured Property is covered under an insurance policy issued by the  
6 Travelers bearing Policy Number 680-1H922632 (the “Policy”).

7 9. The Policy is currently in full effect, providing property, business personal  
8 property, business income and extra expense, and additional coverages between the period of  
9 May 27, 2019 through May 27, 2020.

10 10. Plaintiff faithfully paid policy premiums to Travelers, specifically to provide  
11 additional coverages for “Business Income and Extra Expense Coverage” in the event of  
12 business closures by order of Civil Authority.

13 11. Under the Policy, insurance is extended to apply to the actual loss of business  
14 income sustained and the actual, necessary and reasonable extra expenses incurred when  
15 access to the scheduled premises is specifically prohibited by order of Civil Authority as the  
16 direct result of a covered cause of loss to property in the immediate area of Plaintiff’s  
17 scheduled premises. This additional coverage is identified as coverage under “Civil  
18 Authority” as part of the Policy’s “Property Optional Coverages” section.

19 12. The Policy is an all-risk policy, insofar as it provides that a covered cause of  
20 loss under the policy means direct physical loss or direct physical damage unless the loss is  
21 specifically excluded or limited in the Policy.

22 13. The Policy’s Civil Authority Coverage Section extends coverage to direct  
23 physical loss or damage that results in a covered cause of loss to the Property in the  
24 immediate area of the “scheduled premises”.

25 14. Based on information and belief, Travelers has accepted the policy premiums  
26 with no intention of providing any coverage under the Policy’s Civil Authority Coverage  
27 Section due to a loss and shutdown from a virus pandemic.

28 15. The global COVID-19 pandemic has physically impacted both public and

1 private property and physical spaces around the world, as well as the right of the general  
2 public to gather and utilize retail business locations. The currently-raging pandemic has been  
3 exacerbated by the fact that the deadly virus physically infects and stays on surfaces of  
4 objects or materials, “fomites,” for up to twenty-eight days. The scientific community in the  
5 United States and indeed, across the world, including the World Health Organization, has  
6 recognized that the Coronavirus is a cause of real physical loss and damage.

7 16. Indeed, a number of countries such as: China, Italy, France, and Spain have  
8 required the fumigation of public areas prior to allowing them to re-open. A recent scientific  
9 study printed in the New England Journal of Medicine explains that the virus is detectable  
10 for up to three hours in aerosols, up to four hours on copper, up to 24 hours on cardboard  
11 boxes, and up to three days on plastic and stainless steel<sup>1</sup>. Notably, the most potent form of  
12 the virus is not airborne but rather present on physical surfaces.

13 17. On March 15, 2020, the Mayor of Los Angeles, Defendant Garcetti, issued an  
14 Executive Order (No. 202.6) directing all “non-essential” businesses to be closed in Los  
15 Angeles. Defendant Garcetti’s Order came on the heels of Governor Gavin Newsom’s  
16 similar state-wide order issued earlier that day. Defendant Garcetti’s Order specifically  
17 referenced that it was being issued based on the dire risks of exposure with the contraction  
18 of COVID-19 and evidence of physical damage to property. Shortly thereafter, Governor  
19 Newsom issued a state-wide “Stay-at-Home Order” for all residents of California. In this  
20 case, the property that is damaged is in the immediate area of the Insured Property.

21 18. As a direct and proximate result of this Order, access to Plaintiff’s Insured  
22 Property (including to both of its underlying businesses) has been specifically prohibited.

23 19. As a further direct and proximate result of the Order, Plaintiff has been forced  
24 to deal with unpaid rent and other related issues stemming from its tenants’ cessation of use  
25 with respect to the Insured Premises.

26 \_\_\_\_\_  
27 <sup>1</sup> See Aerosol and Surface Stability of SARS-CoV-2 as Compared with SARS-CoV-1, New  
28 England Journal of Medicine (March 17, 2020), available at  
<https://www.nejm.org/doi/pdf/10.1056/NEJMc2004973?articleTools=true>



1 necessary as no adequate remedy at law exists and a declaration of the Court is needed to  
2 resolve the dispute and controversy.

3 24. Plaintiff seeks a Declaratory Judgement to determine whether the Order  
4 constitutes a prohibition of access to its Insured Premises by a Civil Authority as defined in  
5 the Policy.

6 25. Plaintiff further seeks a Declaratory Judgement to affirm that the Order  
7 triggers coverage because the Policy does not include exclusion for a viral pandemic and  
8 actually extends coverage for physical loss or damage to the Insured Premises.

9 26. Plaintiff further seeks a Declaratory Judgment to affirm that the Policy  
10 provides coverage to Plaintiff for any current and future civil authority closures of  
11 commercial buildings in California due to physical loss or damage from the Coronavirus and  
12 the Policy provides business income coverage in the event that Coronavirus has caused a loss  
13 or damage at the Insured Premises.

14 27. Plaintiff does not seek any determination of whether the Coronavirus is  
15 physically in the Insured Premises, amount of damages, or any other remedy other than  
16 declaratory relief.

### 17 PRAYER FOR RELIEF

18 Wherefore, Plaintiff herein, Mark J. Geragos, prays as follows:

- 19 1) For a declaration that the Order by Eric Garcetti, in his official capacity as Mayor  
20 of Los Angeles, constitutes a prohibition of access to Plaintiff's Insured Premises  
21 located at 415 East Broadway, Glendale, California 91206.
- 22 2) For a declaration that the prohibition of access by the Order is specifically  
23 prohibited access as defined in the Policy.
- 24 3) For a declaration that the Order triggers coverage because the Policy does not  
25 include an exclusion for a viral pandemic and actually extends coverage for loss  
26 or damage due to physical loss and damage.
- 27 4) For a declaration that the Policy provides coverage to Plaintiff for any current and  
28 future civil authority closures of commercial buildings in California due to

1 physical loss or damage from the Coronavirus under the Civil Authority coverage  
2 parameters and the Policy provides business income coverage in the event that  
3 Coronavirus has caused a loss or damage at the insured premises or immediate  
4 area of the insured premises.

5 5) For such other relief as the Court may deem just and proper.  
6

7  
8 DATED: April 9, 2020

**GERAGOS & GERAGOS, APC**  
**DHILLON LAW GROUP INC.**

9  
10  
11 By: 

MARK J. GERAGOS  
BEN J. MEISELAS  
MATTHEW M. HOESLY  
HARMEET K. DHILLON  
NITIJ P. SINGH  
*Attorneys for Plaintiff,*  
MARK J. GERAGOS

## VOLUNTARY EFFICIENT LITIGATION STIPULATIONS

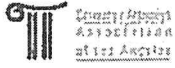


Superior Court of California  
County of Los Angeles

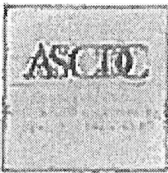


Los Angeles County  
Bar Association  
Litigation Section

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.:		FAX NO. (Optional):	
E-MAIL ADDRESS (Optional):			
ATTORNEY FOR (Name):			
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>			
COURTHOUSE ADDRESS:			
PLAINTIFF:			
DEFENDANT:			
<b>STIPULATION – DISCOVERY RESOLUTION</b>			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;

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- 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)

Y

\_\_\_\_\_  
(ATTORNEY FOR PLAINTIFF)

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

Y

\_\_\_\_\_  
(ATTORNEY FOR DEFENDANT)

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

Y

\_\_\_\_\_  
(ATTORNEY FOR DEFENDANT)

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

Y

\_\_\_\_\_  
(ATTORNEY FOR DEFENDANT)

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

Y

\_\_\_\_\_  
(ATTORNEY FOR \_\_\_\_\_)

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

Y

\_\_\_\_\_  
(ATTORNEY FOR \_\_\_\_\_)

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

Y

\_\_\_\_\_  
(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):			
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>			
COURTHOUSE ADDRESS:			
PLAINTIFF:			
DEFENDANT:			
<b>STIPULATION – EARLY ORGANIZATIONAL MEETING</b>			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

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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.lacourt.org](http://www.lacourt.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 \_\_\_\_\_ for the complaint, and \_\_\_\_\_ for the cross-complaint, which is comprised of the 30 days to respond under Government Code § 68816(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.lacourt.org](http://www.lacourt.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. E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FAX NO (Optional):	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>			CASE NUMBER
COURTHOUSE ADDRESS:			
PLAINTIFF:			
DEFENDANT:			
<b>INFORMAL DISCOVERY CONFERENCE</b> (pursuant to the Discovery Resolution Stipulation of the parties)			

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 dispute, 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: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FAX NO (Optional):	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>			
COURTHOUSE ADDRESS:			
PLAINTIFF:			
DEFENDANT:			
<b>STIPULATION AND ORDER – MOTIONS IN LIMINE</b>			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: _____	Y	_____
(TYPE OR PRINT NAME)		(ATTORNEY FOR PLAINTIFF)
Date: _____	Y	_____
(TYPE OR PRINT NAME)		(ATTORNEY FOR DEFENDANT)
Date: _____	Y	_____
(TYPE OR PRINT NAME)		(ATTORNEY FOR DEFENDANT)
Date: _____	Y	_____
(TYPE OR PRINT NAME)		(ATTORNEY FOR DEFENDANT)
Date: _____	Y	_____
(TYPE OR PRINT NAME)		(ATTORNEY FOR _____)
Date: _____	Y	_____
(TYPE OR PRINT NAME)		(ATTORNEY FOR _____)
Date: _____	Y	_____
(TYPE OR PRINT NAME)		(ATTORNEY FOR _____)

**THE COURT SO ORDERS.**

Date: \_\_\_\_\_

\_\_\_\_\_  
JUDICIAL OFFICER





## Superior Court of California, County of Los Angeles

### **ALTERNATIVE DISPUTE RESOLUTION (ADR) INFORMATION PACKAGE**

**THE PLAINTIFF MUST SERVE THIS ADR INFORMATION PACKAGE ON EACH PARTY WITH THE COMPLAINT.**

**CROSS-COMPLAINANTS** must serve this ADR information Package on any new parties named to the action with the cross-complaint.

#### What is ADR?

ADR helps people find solutions to their legal disputes without going to trial. The main types of ADR are negotiation, mediation, arbitration and settlement conferences. When ADR is done by phone or computer, it may be called Online Dispute Resolution (ODR). These "alternatives" to litigation and trial are described below.

#### Advantages of ADR

- **Saves Time:** ADR is faster than going to trial.
- **Saves Money:** Parties can save on court costs, attorney's fees and witness fees.
- **Keeps Control with the parties:** Parties choose their ADR process and provider for voluntary ADR.
- **Reduces stress/protects privacy:** ADR is done outside the courtroom, in private offices, by phone or online.

#### Disadvantages of ADR

- **Costs:** If the parties do not resolve their dispute, they may have to pay for ADR and litigation and trial.
- **No Public Trial:** ADR does not provide a public trial or a decision by a judge or jury.

#### Main Types of ADR:

1. **Negotiation:** Parties often talk with each other in person, or by phone or online about resolving their case with a settlement agreement instead of a trial. If the parties have lawyers, they will negotiate for their clients.
2. **Mediation:** In mediation, a neutral "mediator" listens to each person's concerns, helps them evaluate the strengths and weaknesses of their case, and works with them to try to create a settlement agreement that is acceptable to all. Mediators do not decide the outcome. Parties may go to trial if they decide not to settle.

#### **Mediation may be appropriate when the parties**

- want to work out a solution but need help from a neutral person.
- have communication problems or strong emotions that interfere with resolution.

#### **Mediation may not be appropriate when the parties**

- want a public trial and want a judge or jury to decide the outcome.
- lack equal bargaining power or have a history of physical/emotional abuse.

LASC1

### How to arrange mediation in Los Angeles County

Mediation for civil cases is voluntary and parties may select any mediator they wish. Options include:

**a. The Civil Mediation Vendor Resource List**

Parties may contact these organizations to request a "Resource List Mediation" for reduced-cost or free (for selected cases) mediation in person or with ODR (by phone or online).

- JAMS, Inc.: Case Manager (213) 253-9776 [mdawson@jamsadr.com](mailto:mdawson@jamsadr.com)
- Mediation Center of Los Angeles: Case Manager: (833) 476-9145 [info@mediationLA.org](mailto:info@mediationLA.org)

**These organizations cannot accept every case and they may decline cases at their discretion.**

Visit [www.lacourt.org/ADR.Res.List](http://www.lacourt.org/ADR.Res.List) for important information and FAQs before contacting them.

**NOTE: This service is not available for family law, probate or small claims.**

**b. Los Angeles County Dispute Resolution Programs**

<https://wdacs.lacounty.gov/programs/drp/>

- Free, day-of-trial mediations at the courthouse for small claims, unlawful detainers (evictions) and, at the Stanley Mosk Courthouse, limited civil. No appointment needed.
- Free or low-cost mediations before the day of trial for these and other case types.
- For ODR by phone or computer for small claims or unlawful detainer (eviction) cases before the day of trial, visit <http://www.lacourt.org/division/smallclaims/pdf/OnlineDisputeResolutionFlyer:EngSpan.pdf>

**c. Mediators and ADR and Bar organizations that provide mediation may be found on the internet.**

3. **Arbitration:** Arbitration is less formal than trial, but like trial, the parties present evidence and arguments to the person who decides the outcome. In "binding" arbitration, the arbitrator's decision is final; there is no right to trial. In "nonbinding" arbitration, any party can request a trial after the arbitrator's decision. For more information about arbitration, visit <http://www.courts.ca.gov/programs-adr.htm>
4. **Mandatory Settlement Conferences (MSC):** MSCs are ordered by the Court and are often held close to the trial date. The parties and their attorneys meet with a judge or settlement officer who does not make a decision but assists the parties in evaluating the strengths and weaknesses of the case and in negotiating a settlement. For information about the Court's MSC programs for civil cases, visit: [www.lacourt.org/division/civil/settlement](http://www.lacourt.org/division/civil/settlement)

Los Angeles Superior Court ADR website: [www.lacourt.org/division/civil/settlement](http://www.lacourt.org/division/civil/settlement)

For general information and videos about ADR, visit <http://www.courts.ca.gov/programs-adr.htm>

LASC2

**FILED**  
Superior Court of California  
County of Los Angeles

**MAY 03 2019**

Sherri R. Carter, Executive Officer/Clerk  
By Rizallinda Mina, Deputy  
Rizallinda Mina

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

IN RE LOS ANGELES SUPERIOR COURT ) FIRST AMENDED GENERAL ORDER  
- MANDATORY ELECTRONIC FILING )  
FOR CIVIL )

On December 3, 2018, the Los Angeles County Superior Court mandated electronic filing of all documents in Limited Civil cases by litigants represented by attorneys. On January 2, 2019, the Los Angeles County Superior Court mandated electronic filing of all documents filed in Non-Complex Unlimited Civil cases by litigants represented by attorneys. (California Rules of Court, rule 2.253(b).) All electronically filed documents in Limited and Non-Complex Unlimited cases are subject to the following:

1) DEFINITIONS

- a) **"Bookmark"** A bookmark is a PDF document navigational tool that allows the reader to quickly locate and navigate to a designated point of interest within a document.
- b) **"Efiling Portal"** The official court website includes a webpage, referred to as the efiling portal, that gives litigants access to the approved Electronic Filing Service Providers.
- c) **"Electronic Envelope"** A transaction through the electronic service provider for submission of documents to the Court for processing which may contain one or more PDF documents attached.
- d) **"Electronic Filing"** Electronic Filing (eFiling) is the electronic transmission to a Court of a document in electronic form. (California Rules of Court, rule 2.250(b)(7).)

- 1 e) **“Electronic Filing Service Provider”** An Electronic Filing Service Provider (EFSP) is a  
 2 person or entity that receives an electronic filing from a party for retransmission to the Court.  
 3 In the submission of filings, the EFSP does so on behalf of the electronic filer and not as an  
 4 agent of the Court. (California Rules of Court, rule 2.250(b)(8).)
- 5 f) **“Electronic Signature”** For purposes of these local rules and in conformity with Code of  
 6 Civil Procedure section 17, subdivision (b)(3), section 34, and section 1010.6, subdivision  
 7 (b)(2), Government Code section 68150, subdivision (g), and California Rules of Court, rule  
 8 2.257, the term “Electronic Signature” is generally defined as an electronic sound, symbol, or  
 9 process attached to or logically associated with an electronic record and executed or adopted  
 10 by a person with the intent to sign the electronic record.
- 11 g) **“Hyperlink”** An electronic link providing direct access from one distinctively marked place  
 12 in a hypertext or hypermedia document to another in the same or different document.
- 13 h) **“Portable Document Format”** A digital document format that preserves all fonts,  
 14 formatting, colors and graphics of the original source document, regardless of the application  
 15 platform used.

16 2) **MANDATORY ELECTRONIC FILING**

17 a) **Trial Court Records**

18 Pursuant to Government Code section 68150, trial court records may be created, maintained,  
 19 and preserved in electronic format. Any document that the Court receives electronically must  
 20 be clerically processed and must satisfy all legal filing requirements in order to be filed as an  
 21 official court record (California Rules of Court, rules 2.100, et seq. and 2.253(b)(6)).

22 b) **Represented Litigants**

23 Pursuant to California Rules of Court, rule 2.253(b), represented litigants are required to  
 24 electronically file documents with the Court through an approved EFSP.

25 c) **Public Notice**

26 The Court has issued a Public Notice with effective dates the Court required parties to  
 27 electronically file documents through one or more approved EFSPs. Public Notices containing  
 28 effective dates and the list of EFSPs are available on the Court’s website, at [www.lacourt.org](http://www.lacourt.org).

1 d) Documents in Related Cases

2 Documents in related cases must be electronically filed in the eFiling portal for that case type if  
 3 electronic filing has been implemented in that case type, regardless of whether the case has  
 4 been related to a Civil case.

5 3) EXEMPT LITIGANTS

6 a) Pursuant to California Rules of Court, rule 2.253(b)(2), self-represented litigants are exempt  
 7 from mandatory electronic filing requirements.

8 b) Pursuant to Code of Civil Procedure section 1010.6, subdivision (d)(3) and California Rules of  
 9 Court, rule 2.253(b)(4), any party may make application to the Court requesting to be excused  
 10 from filing documents electronically and be permitted to file documents by conventional  
 11 means if the party shows undue hardship or significant prejudice.

12 4) EXEMPT FILINGS

13 a) The following documents shall not be filed electronically:

- 14 i) Peremptory Challenges or Challenges for Cause of a Judicial Officer pursuant to Code of  
 15 Civil Procedure sections 170.6 or 170.3;
- 16 ii) Bonds/Undertaking documents;
- 17 iii) Trial and Evidentiary Hearing Exhibits
- 18 iv) Any ex parte application that is filed concurrently with a new complaint including those  
 19 that will be handled by a Writs and Receivers department in the Mosk courthouse; and
- 20 v) Documents submitted conditionally under seal. The actual motion or application shall be  
 21 electronically filed. A courtesy copy of the electronically filed motion or application to  
 22 submit documents conditionally under seal must be provided with the documents  
 23 submitted conditionally under seal.

24 b) Lodgments

25 Documents attached to a Notice of Lodgment shall be lodged and/or served conventionally in  
 26 paper form. The actual document entitled, "Notice of Lodgment," shall be filed electronically.

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1 5) ELECTRONIC FILING SYSTEM WORKING PROCEDURES

2 Electronic filing service providers must obtain and manage registration information for persons  
3 and entities electronically filing with the court.

4 6) TECHNICAL REQUIREMENTS

5 a) Electronic documents must be electronically filed in PDF, text searchable format when  
6 technologically feasible without impairment of the document's image.

7 b) The table of contents for any filing must be bookmarked.

8 c) Electronic documents, including but not limited to, declarations, proofs of service, and  
9 exhibits, must be bookmarked within the document pursuant to California Rules of Court, rule  
10 3.1110(f)(4). Electronic bookmarks must include links to the first page of each bookmarked  
11 item (e.g. exhibits, declarations, deposition excerpts) and with bookmark titles that identify the  
12 bookedmarked item and briefly describe the item.

13 d) Attachments to primary documents must be bookmarked. Examples include, but are not  
14 limited to, the following:

15 i) Depositions;

16 ii) Declarations;

17 iii) Exhibits (including exhibits to declarations);

18 iv) Transcripts (including excerpts within transcripts);

19 v) Points and Authorities;

20 vi) Citations; and

21 vii) Supporting Briefs.

22 e) Use of hyperlinks within documents (including attachments and exhibits) is strongly  
23 encouraged.

24 f) Accompanying Documents

25 Each document accompanying a single pleading must be electronically filed as a **separate**  
26 digital PDF document.

27 g) Multiple Documents

28 Multiple documents relating to one case can be uploaded in one envelope transaction.

1 b) Any written opposition to an ex parte application must be electronically filed by 8:30 a.m. the  
2 day of the ex parte hearing. A printed courtesy copy of any opposition to an ex parte  
3 application must be provided to the court the day of the ex parte hearing.

4 9) PRINTED COURTESY COPIES

5 a) For any filing electronically filed two or fewer days before the hearing, a courtesy copy must  
6 be delivered to the courtroom by 4:30 p.m. the same business day the document is efiled. If  
7 the efiled is submitted after 4:30 p.m., the courtesy copy must be delivered to the courtroom  
8 by 10:00 a.m. the next business day.

9 b) Regardless of the time of electronic filing, a printed courtesy copy (along with proof of  
10 electronic submission) is required for the following documents:

11 i) Any printed document required pursuant to a Standing or General Order;

12 ii) Pleadings and motions (including attachments such as declarations and exhibits) of 26  
13 pages or more;

14 iii) Pleadings and motions that include points and authorities;

15 iv) Demurrers;

16 v) Anti-SLAPP filings, pursuant to Code of Civil Procedure section 425.16;

17 vi) Motions for Summary Judgment/Adjudication; and

18 vii) Motions to Compel Further Discovery.

19 c) Nothing in this General Order precludes a Judicial Officer from requesting a courtesy copy of  
20 additional documents. Courtroom specific courtesy copy guidelines can be found at  
21 [www.lacourt.org](http://www.lacourt.org) on the Civil webpage under "Courtroom Information."

22 10) WAIVER OF FEES AND COSTS FOR ELECTRONICALLY FILED DOCUMENTS

23 a) Fees and costs associated with electronic filing must be waived for any litigant who has  
24 received a fee waiver. (California Rules of Court, rules 2.253(b)(1), 2.258(b), Code Civ. Proc. §  
25 1010.6(d)(2).)

26 b) Fee waiver applications for waiver of court fees and costs pursuant to Code of Civil Procedure  
27 section 1010.6, subdivision (b)(6), and California Rules of Court, rule 2.252(f), may be  
28 electronically filed in any authorized action or proceeding.

1 11) SIGNATURES ON ELECTRONIC FILING

2 For purposes of this General Order, all electronic filings must be in compliance with California  
3 Rules of Court, rule 2.257. This General Order applies to documents filed within the Civil  
4 Division of the Los Angeles County Superior Court.

5  
6 This First Amended General Order supersedes any previous order related to electronic filing,  
7 and is effective immediately, and is to remain in effect until otherwise ordered by the Civil  
8 Supervising Judge and/or Presiding Judge.

9  
10 DATED: May 3, 2019



11 *Kevin C. Brazile*  
12 KEVIN C. BRAZILE  
13 Presiding Judge  
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**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES**

**Branch Name:** Stanley Mosk Courthouse  
**Mailing Address:** 111 North Hill Street  
**City, State and Zip Code:** Los Angeles CA 90012

**SHORT TITLE:** MARK J. GERAGOS vs THE TRAVELERS INDEMNITY COMPANY OF CONNECTICUT , et al.

**CASE NUMBER:**  
20STCV14073

**NOTICE OF CONFIRMATION OF ELECTRONIC FILING**

The Electronic Filing described by the below summary data was reviewed and accepted by the Superior Court of California, County of LOS ANGELES. In order to process the filing, the fee shown was assessed.

**Electronic Filing Summary Data**

Electronically Submitted By: Green Filing  
Reference Number: 4126567\_1  
Submission Number: 20LA02094231  
Court Received Date: 04/10/2020  
Court Received Time: 12:05 pm  
Case Number: 20STCV14073  
Case Title: MARK J. GERAGOS vs THE TRAVELERS INDEMNITY COMPANY OF CONNECTICUT , et al.  
Location: Stanley Mosk Courthouse  
Case Type: Civil Unlimited  
Case Category: Insurance Coverage (not complex)  
Jurisdictional Amount: Over \$25,000  
Notice Generated Date: 04/10/2020  
Notice Generated Time: 4:33 pm

**Documents Electronically Filed/Received**

**Status**

Complaint	Accepted
Summons	Accepted
Civil Case Cover Sheet	Accepted
Notice (name extension)	Accepted

**Comments**

Submitter's Comments:

Clerk's Comments:

**Electronic Filing Service Provider Information**

Service Provider: Green Filing

Contact: Green Filing

Phone: (801) 448-7268