



JUDICIAL COUNCIL OF CALIFORNIA

GOVERNMENTAL AFFAIRS

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TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

MARTIN HOSHINO
Administrative Director

CORY T. JASPERSON
Director, Governmental Affairs

August 23, 2018

Hon. Marc Berman
Member of the Assembly
State Capitol, Room 6011
Sacramento, California 95814

Subject: AB 2230 (Berman), as amended August 20, 2018 – Support

Dear Assembly Member Berman:

The Judicial Council is pleased to support AB 2230, which provides that in lieu of a separate statement in connection with a motion to compel further responses to discovery requests, the court may (but is not required to) allow the moving party to submit a concise outline of the discovery request and each response in dispute. The bill also extends from 60 to 75 days the respective timelines for the court to rule on a motion for a new trial and a motion to set aside and vacate the judgment (commonly referred to as “JNOV motions”).

The Judicial Council appreciates the permissive nature of the bill’s separate statement provisions. The council believes that codifying the court’s discretion to require either a full separate statement or instead a concise outline of the discovery issues in dispute should be helpful to both litigants and the courts in cases where the judicial officer presiding over the matter may prefer to utilize this streamlined approach. The Judicial Council also very much appreciates the bill’s inclusion of a one-year delay of the operative date for the separate statement provisions, which will allow the council sufficient time to make necessary revisions to the implementing rules of court.

Hon. Marc Berman
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In addition, the Judicial Council is cognizant of the existing time constraints in ruling on new trial and JNOV motions, and believes that adding 15 days to the respective timelines will provide some needed flexibility for appropriately ruling on these important post-trial motions. In sum, AB 2230 will increase the overall efficiency of the courts' handling of certain discovery disputes and post-trial motions.

For these reasons, the Judicial Council supports AB 2230.

Sincerely,

Mailed August 23, 2018

Daniel Pone
Attorney

DP/jh

cc: Hon. Marc Berman, Member of the Assembly
Mr. Mike Belote, Lobbyist, California Defense Council
Ms. Saveena Takhar, Staff Counsel, Consumer Attorneys of California
Mr. Daniel Seeman, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Martin Hoshino, Administrative Director, Judicial Council of California



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Director, Governmental Affairs

August 28, 2018

Hon. Edmund G. Brown, Jr.
Governor of California
State Capitol, First Floor
Sacramento, California 95814

Subject: AB 2230 (Berman) – Request for Signature

Dear Governor Brown:

The Judicial Council respectfully requests your signature on Assembly Bill 2230, which provides that in lieu of a separate statement in connection with a motion to compel further responses to discovery requests, the court may (but is not required to) allow the moving party to submit a concise outline of the discovery request and each response in dispute. The bill also extends from 60 to 75 days the respective timelines for the court to rule on a motion for a new trial and a motion to set aside and vacate the judgment (commonly referred to as “JNOV motions”).

The Judicial Council appreciates the permissive nature of the bill’s separate statement provisions. The council believes that codifying the court’s discretion to require either a full separate statement or instead a concise outline of the discovery issues in dispute should be helpful to both litigants and the courts in cases where the judicial officer presiding over the matter may prefer to utilize this streamlined approach. The Judicial Council also very much appreciates the bill’s inclusion of a one-year delay of the operative date for the separate statement provisions, which will allow the council sufficient time to make necessary revisions to the implementing rules of court.

Hon. Edmund G. Brown, Jr.

August 28, 2018

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For these reasons, the Judicial Council requests your signature on AB 2230.

Should you have any questions or require additional information, please contact Daniel Pone at 916-323-3121.

Sincerely,

Mailed August 28, 2018

Cory T. Jasperson
Director, Governmental Affairs

CTJ/DP/jh

cc: Hon. Marc Berman, Member of the Assembly
Hon. Kevin Kiley, Member of the Assembly
Mr. Daniel Seeman, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Martin Hoshino, Administrative Director, Judicial Council of California