

Press Releases

Richard Goetz Available to Comment on Los Angeles Superior Court Complex-Case Program Achievements



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LOS ANGELES, CALIFORNIA – AUGUST 27, 2010 – O'Melveny & Myers LLP partner and firmwide Class Actions, Mass Torts, and Insurance Litigation Practice Chair Richard Goetz is available to comment on the success of the Los Angeles Superior Court's complex-case program, which recently marked its 10-year anniversary. For more than a decade, the complex litigation program has promoted efficiency and facilitated the fair and quick resolution of cases through early identification of issues and focused discovery.

The strength of the program lies in the close collaboration between judges and lawyers. In its press release commemorating the accomplishments, the Los Angeles Superior Court noted that the program's approach to complex cases has "led to the development of case management techniques that permit court-directed initial discovery or court-mediated consensual discovery, judicial participation framing legal issues for early resolution, and innovative procedural mechanisms for resolving legal issues."

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values is reflected in our dedication to improving access to justice through pro bono work and championing initiatives that increase the diversity of the legal profession. For more information, please visit www.omm.com.

The following press release was recent issued by the Los Angeles Superior Court:

NEWS RELEASE
Aug. 26, 2010

Complex Civil Courts Mark 10 Years of Benefitting Thousands and Saving Millions

LOS ANGELES — When 3,000 Northridge-earthquake victims received an insurance company check to repair or rebuild some 20,000 dwellings, they directly benefitted from the complex-case program of the Los Angeles Superior Court. Six judges in the Central Civil West Courthouse persistently focused on the long-pending lawsuits and did so while managing hundreds of other class action, antitrust and mass tort cases on their docket.

After a decade of success, the complex litigation program is distinguished by its early judicial involvement and hands-on case management. Begun as a pilot program in 2000, its team approach promotes early identification of issues and focused discovery to permit significant issues to be resolved and to encourage settlement, thus supporting a quick and fair case resolution.

“Ground-breaking and extraordinary cooperation by all parties allows our complex courts to achieve landmark results and efficiencies of the highest order,” said Presiding Judge Charles W. “Tim” McCoy Jr., a former complex-court supervising judge.

“The program depends on the willingness of attorneys and judges to experiment with new and untried approaches to the conduct of litigation,” said McCoy.

Because complex civil cases may address thorny subjects, such as environmental and toxic damages, sophisticated insurance coverage claims, investment losses and securities claims, antitrust or trade regulation matters and construction defect litigation, they often involve multiple litigants, cutting-edge legal issues, and high stakes.

The complex panel is also responsible for screening all class actions filed in the Los Angeles Superior Court. Class actions typically handled by the judges on the complex panel include labor and employment-related claims, securities claims, and consumer-

related claims. Class action lawsuits often involve thousands of claimants, hundreds of witnesses, and tens of thousands of documents and exhibits.

When cases involving similar legal issues are pending in different counties in the state, such actions may be coordinated under the auspices of the Judicial Council and assigned to a single judge. The judges of the complex panel routinely handle coordinated proceedings. Coordinated proceedings presently pending before judges on the complex panel include pharmaceutical litigation involving drugs like Byetta and Avandia, consumer and product litigation involving Toyota automobiles, and employment-related wage and hour litigation involving some of the largest employers in the state.

As incubators for innovation, the complex courts employ a hands-on management style that permits early identification of significant issues and focused discovery which, in turn, minimizes the discovery-related disputes that often clog our courts.

Complex courts also take advantage of the latest technology and use secure websites to share information, schedule hearings, serve documents and post orders. This use of technology saves time and money in cases in which the mailing of a notice may cost hundreds of dollars and a single court appearance may involve 50-100 lawyers.

The program's hallmark is the ability of judges and lawyers to work collaboratively in shaping a case's progress and resolution. This approach to complex cases has led to the development of case management techniques that permit court-directed initial discovery or court-mediated consensual discovery, judicial participation framing legal issues for early resolution, and innovative procedural mechanisms for resolving legal issues.

Additionally, cases frequently are managed to create opportunities for early settlement. When requested by the parties, there may be substantial judicial involvement in a settlement, including joint sessions with a trial judge and mediator.

Meetings with bar associations provide insight into evaluations of experimental techniques and shifting approaches to reaching common objectives. In 2007, a lawyer survey jointly organized by the bar and the Court found 94 percent of the participants agreed that the complex program reduces parties' overall costs.

Serving in CCW's complex courts are Supervising Judge Carl J. West, Judge Emilie H. Elias, Judge William F. Highberger, Judge Ann I. Jones, Judge Carolyn B. Kuhl, and Judge Anthony J. Mohr.

Former complex court judges are Justice Victoria G. Chaney (elevated to the California Court of Appeal), Judge Ann Kough (retired), Judge Peter Lichtman, and Presiding Judge McCoy.

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