

1 Superior Court of California
2 County of San Bernardino
247 W. Third Street, S-24
San Bernardino, CA 92415

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4 SUPERIOR COURT OF CALIFORNIA
5 COUNTY OF SAN BERNARDINO, SAN BERNARDINO DISTRICT
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8 Plaintiffs,
9 v
10 ORDER RE DISCOVERY
CONFERENCE **REVISED FEBRUARY**
11 **20, 2026**
12 Defendant,
13
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15 THE COURT ORDERS THE FOLLOWING:

16 PLEASE BE ADVISED this discovery conference order supersedes any prior
17 discovery conference order. The 2026 version significantly revises the 2025 version and
18 all parties are advised to read this Order carefully.

19 **I. Application**

20 This Order does not apply to the following:

- 21 1. Discovery disputes involving self-represented individuals¹;
22 2. Expert discovery disputes; and
23 3. Motions to compel discovery in which no responses have been provided
24 whatsoever.

25 All other discovery disputes, including motions to quash, are subject to this
26 Order.

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II. General

Within five (5) court days of filing the discovery motion and prior to any party filing an Opposition to a discovery motion in this action, the moving party shall schedule a video informal discovery conference (hereinafter IDC) with all parties and the Court. The purpose of the IDC is to try and resolve the discovery issues without the necessity of a motion and or sanctions. At the IDC, the issues of the discovery dispute will be discussed as well as possible referral of the case out to Judicial Referee (hereinafter JR), pursuant to CCP 639. Timely objections to JR, including but not limited to, economic hardship, will be heard at this time only. (Be prepared with appropriate financial documentation/declarations at this time of the IDC or request an extension at the time of the IDC). Referral to JR is relatively rare but nonetheless, is a possibility after the conference depending on circumstances.

To schedule a Discovery Conference, please email the request to the Judicial Assistant at AArroyo@sb-court.org and the Courtroom Attendant at MaMiranda@sb-court.org, with all opposing counsel who is to participate included. The request should include the case number and name in the subject line. Please provide in the body: (1) which party is requesting the conference; (2) what discovery is at issue; and (3) the response due date. Upon receipt of the request, the judicial assistant will respond with the next available conference date, along with further instructions.

III. Procedure

Prior to the IDC, the parties are required to meet and confer to impasse via phone or videoconference on the discovery dispute. The moving party shall schedule and coordinate the meet and confer. The opposing party shall respond to any scheduling attempt within three (3) business days.

Further, IDCs are limited in time and therefore limited in scope. The parties will submit a joint IDC statement outlining the impasse that is no more than five pages long. The Joint IDC statement shall be filed and lodged directly in S33 by 3:00 p.m. no later than one week prior to the IDC. Failure to submit a joint IDC statement will result in the

¹ This does not apply when the self-represented party is not involved in the discovery dispute. For example, if represented Defendant A wants to file a motion to compel against represented Defendant B, represented Defendant A must comply with this order even if the Plaintiff is *in propria persona*.

1 IDC being taken off-calendar. Attorneys attending the IDC are expected to be familiar
2 with the discovery dispute beyond what is represented in the Joint IDC statement.
3 Failure to participate in preparing the Joint IDC statement will subject the non-
4 participating party and/or attorney to sanctions.

5 No other substantive documents on the discovery issues (propounding and/or
6 responsive documents, briefs, etc.) shall be filed by either side. Disputes that are
7 beyond the five-page scope must be spread over multiple IDC dates.

8 **IV. Notice and Attendance**

9 Notice of the IDC must be given to all parties. Propounding and responding
10 parties to the discovery dispute must be at the conference and there is no cost to the
11 parties. Only one attorney may speak on behalf of a party. Counsel shall not retain
12 appearance counsel to attend the IDC; only the attorneys of record on the caption or
13 attorneys who have filed a substitution prior to the IDC may appear. "Assisting" or "of
14 counsel" attorneys who do not appear on the caption and have not made a formal
15 appearance may not appear on behalf of a party unless granted permission by the
16 Court at least 24 hours prior to the IDC upon a showing of good cause. All other parties
17 not involved in the dispute may attend or not attend the conference.

18 **V. *Song-Beverly* Cases**

19 In *Song-Beverly* cases in which the manufacturer does not opt in to AB 1755, the
20 Court will generally order the following documents produced to Plaintiff(s) upon a
21 Demand for Production per Code of Civil Procedure section 2031.010 et al.:

- 22 a. All purchase or lease contracts concerning the subject vehicle, including
23 any associated documents reflecting Original Equipment Manufacturer
24 aftermarket equipment installed at the dealership, Extended Limited
25 Warranties or service contracts, and any other writings signed by the
26 plaintiff at the point of sale.
- 27 b. All work orders, repair orders, and invoices (including accounting and
28 warranty versions) for any maintenance, service and repair activity
concerning the subject vehicle.

- c. All rental car or loaner agreements regarding alternate transportation provided during service or repair visits concerning the subject vehicle.
- d. All records of communications with dealer personnel, factory representatives, and Defendant's call center or customer assistance personnel concerning the subject vehicle.
- e. All warranty claims submitted to and/or approved by Defendant concerning the subject vehicle.
- f. All Warranty Policy and Procedure Manual or similar policies or claim-handling procedures published by Defendant from the date the subject vehicle was purchased or leased to the date the lawsuit was filed.
- g. All of Defendant's written statements of policy and/or procedures used to evaluate customer requests for repurchase or replacement pursuant to "Lemon Law" claims, including those brought under the Song-Beverly Consumer Warranty Act, from the date the subject vehicle was purchased or leased to the date the lawsuit was filed.
- h. All documents concerning any internal analysis or investigation regarding the alleged defects claimed by plaintiff in vehicles purchased in California for the same year, make and model of the subject vehicle.
- i. A list or compilation of customer complaints in Defendant's electronically stored information database that are substantially similar to the alleged defects claimed by Plaintiff in vehicles purchased in California for the same year, make, and model of the subject vehicle. A substantially similar customer complaint would be the same nature of reported symptom, malfunction, dashboard indicator light, or other manifestation of a repair problem as the description listed in any work order or repair order for the subject vehicle, other than routine or scheduled maintenance items. The list provided by Defendant may be in a chart or spreadsheet format and shall include the VIN, date of repair visit, dealership or other reporting location, and text of the other customers' reported complaint, but shall not

1 include the other customers' names, addresses, phone numbers, e-mail
2 addresses, or other personal identifying information.

3 j. All Technical Service Bulletins and Recall Notices for vehicles purchased
4 or leased in California for the same year, make and model of the subject
5 vehicle.

6 k. Any repair instruction, bulletin, or other diagnostic/repair procedure
7 identified in any of the repair order/invoice records for the subject vehicle.

8 l. All receipts or other written evidence supporting any incidental or
9 consequential damages claimed by Plaintiff.

10 **VI. Sanctions**

11 Failure to obey any portion of this Order may result in monetary sanctions
12 against the offending party pursuant to CCP 177.5.

13 Dated this 20th day of February, 2026

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16 Judge of the Superior Court
17 Stephanie J. Tañada
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