

JUDGE VICTORIA S. KAUFMAN'S  
STATUS CONFERENCE INSTRUCTIONS

1. A copy of these instructions must be attached to the copy of the complaint served upon each party, and the proof of service must state that these instructions, as well as a copy of the summons and complaint, was served.
2. Plaintiff must serve, with the summons and complaint, a notice in compliance with Local Bankruptcy Rule 7026-1(a)(1). Plaintiff must also file proof of service of the notice with proof of service of the summons and complaint as required by Local Bankruptcy Rule 7026-1(a)(2).
3. Counsel for the parties **MUST TIMELY MEET TO DISCUSS SETTLEMENT AND TO EXCHANGE DOCUMENTS, OTHER EVIDENCE AND LISTS OF WITNESSES AND PRELIMINARY DISCOVERY SCHEDULES AS PROVIDED IN FED. R. BANKR. P. 7026.**
4. Pursuant to Local Bankruptcy Rule 7016-1(a)(2), all parties must file a Joint Status Report at least fourteen (14) days before the date set for each status conference. The Joint Status Report should be in a form substantially similar to Exhibit A attached hereto, *i.e.*, Local Form 7016-1.STATUS.REPORT. Failure to file such a Joint Status Report may result in the imposition of monetary sanctions and/or the status conference being continued and parties being ordered to redo the status report to conform to Exhibit A. If cooperation in the filing of a Joint Status Report cannot reasonably be obtained, each appearing party must file a Unilateral Status Report and Declaration which comply with Local Bankruptcy Rule 7016-1(a)(3).
5. If a response to the complaint is not timely filed:
  - A. The plaintiff should file a request for entry of default by the clerk. The plaintiff also may request entry of a default judgment by filing and serving (if necessary) an appropriate motion; see Fed. R. Bankr. P. 7055 and Local Bankruptcy Rule 7055-1(b);

AND

- B. No later than seven (7) days prior to the status conference, each appearing party must file a Unilateral Status Report (completing Sections A-E of Exhibit A attached hereto) as required by Local Bankruptcy Rule 7016-1(a)(3).
6. If the parties dispute whether the adversary proceeding is “core” within the meaning of 28 U.S.C. § 157(b), they must file points and authorities in support of their positions. Any party who contends that the proceeding is “non-core” must file and serve a memorandum of points and authorities and evidence in support of his/her/its position no less than fourteen (14) days before the status conference. Any response must be filed at least seven (7) days before the status conference. **If a party does not timely file and serve his/her/its papers, that failure may be deemed a consent to whatever determination the Court makes.**
7. Any party claiming a right to trial by jury must make a timely demand as set forth in Local Bankruptcy Rule 9015-2. If the parties dispute whether a party has a right to a jury trial, they must file points and authorities in support of their positions. Any party who contends that

he/she/it has a right to a jury trial must file and serve a memorandum of points and authorities and evidence in support of his/her/its position no less than fourteen (14) days before the status conference. Any response must be filed at least seven (7) days before the status conference. **If a party does not timely file and serve his/her/its papers, that failure may be deemed a consent to whatever determination the Court makes.**

8. Unless otherwise ordered by the Court, within seven (7) court days after the status conference, the plaintiff must submit a Scheduling Order which complies with Local Bankruptcy Rule 7016-1(a)(4).
9. Extensions of time to respond to a pleading are ineffective by stipulation of the parties unless approved by the Court. The Court is likely to deny requests to extend the response deadline to a date within five (5) days of the hearing date unless the hearing date is continued to a date which permits the Court adequate time to consider the pleadings. The Court will not grant a request to continue a hearing unless the request states adequate cause for the continuance.
10. Failure to comply with these instructions may subject the responsible party to a sanction of \$150, or such other sanctions as may be warranted under the circumstances or allowed under Local Bankruptcy Rule 7016-1(f).
11. Failure of counsel for any party to appear at a status conference may be considered an abandonment or failure to prosecute or defend diligently and may result in dismissal of the proceeding or judgment entered against the defaulting party without further hearing, or such other sanctions as may be warranted under the circumstances or allowed under Local Bankruptcy Rule 7016-1(g).

Hon. Victoria S. Kaufman  
United States Bankruptcy Judge

(Revised 1/18/22)

# **EXHIBIT A**

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address     <input type="checkbox"/> <i>Individual appearing without attorney</i> <input type="checkbox"/> <i>Attorney for:</i>	FOR COURT USE ONLY
<b>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - _____ DIVISION</b>	
In re:    <div style="text-align: right;">Debtor(s).</div>	CASE NO.:  ADVERSARY NO.:  CHAPTER:
<div style="text-align: center;">vs.</div> <div style="text-align: right; margin-right: 20px;">Plaintiff(s).</div> <div style="text-align: right; margin-right: 20px;">Defendant(s).</div>	<div style="text-align: center; margin-bottom: 10px;"><b>JOINT STATUS REPORT [LBR 7016-1(a)(2)]</b></div> DATE: TIME: COURTROOM: ADDRESS:

The parties submit the following JOINT STATUS REPORT in accordance with LBR 7016-1(a)(2):

**A. PLEADINGS/SERVICE:**

- |   |  |
|---|--|
| 1. Have all parties been served with the complaint/counterclaim/cross-claim, etc. (Claims Documents)? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. Have all parties filed and served answers to the Claims Documents?                                 | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. Have all motions addressed to the Claims Documents been resolved?                                  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 4. Have counsel met and conferred in compliance with LBR 7026-1?                                      | <input type="checkbox"/> Yes <input type="checkbox"/> No |

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This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

5. If your answer to any of the four preceding questions is anything other than an unqualified "YES," please explain below (*or on attached page*):

**B. READINESS FOR TRIAL:**

1. When will you be ready for trial in this case?

Plaintiff

Defendant

2. If your answer to the above is more than 4 months after the summons issued in this case, give reasons for further delay.

Plaintiff

Defendant

3. When do you expect to complete your discovery efforts?

Plaintiff

Defendant

4. What additional discovery do you require to prepare for trial?

Plaintiff

Defendant

**C. TRIAL TIME:**

1. What is your estimate of the time required to present your side of the case at trial (*including rebuttal stage if applicable*)?

Plaintiff

Defendant

2. How many witnesses do you intend to call at trial (*including opposing parties*)?

Plaintiff

Defendant

3. How many exhibits do you anticipate using at trial?

Plaintiff

Defendant

**D. PRETRIAL CONFERENCE:**

A pretrial conference is usually conducted between a week to a month before trial, at which time a pretrial order will be signed by the court. [See LBR 7016-1.] If you believe that a pre-trial conference is not necessary or appropriate in this case, please so note below, stating your reasons:

Plaintiff

Pretrial conference  is  is not requested  
Reasons:

Defendant

Pretrial conference  is  is not requested  
Reasons:

Plaintiff

Pretrial conference should be set after:  
(date) \_\_\_\_\_

Defendant

Pretrial conference should be set after:  
(date) \_\_\_\_\_

**E. SETTLEMENT:**

1. What is the status of settlement efforts?

2. Has this dispute been formally mediated?  Yes  No  
If so, when?

3. Do you want this matter sent to mediation at this time?

Plaintiff

Yes  No

Defendant

Yes  No

**F. FINAL JUDGMENT/ORDER:**

Any party who contests the bankruptcy court's authority to enter a final judgment and/or order in this adversary proceeding must raise its objection below. Failure to select either box below may be deemed consent.

Plaintiff

Defendant

I do consent

I do consent

I do not consent

I do not consent

to the bankruptcy court's entry of a final judgment and/or order in this adversary proceeding.

to the bankruptcy court's entry of a final judgment and/or order in this adversary proceeding.

**G. ADDITIONAL COMMENTS/RECOMMENDATIONS RE TRIAL: (Use additional page if necessary)**

Respectfully submitted,

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

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

\_\_\_\_\_  
Printed name of law firm

\_\_\_\_\_  
Printed name of law firm

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Printed name

Attorney for: \_\_\_\_\_

Attorney for: \_\_\_\_\_

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## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

A true and correct copy of the foregoing document entitled: **JOINT STATUS REPORT [LBR 7016-1(a)(2)]** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* \_\_\_\_\_, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On *(date)* \_\_\_\_\_, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on *(date)* \_\_\_\_\_, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

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