

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): DeeAnne Gillick (SBN 179218); Ellen Taylor (SBN 312018) SLOAN SAKAI YEUNG & WONG LLP 555 Capitol Mall, Suite 600 Sacramento, CA 95814 TELEPHONE NO.: (916) 258-8800 FAX NO. (<i>Optional</i>): (916) 258-8801 E-MAIL ADDRESS: dgillick@sloansakai.com / etaylor@sloansakai.com ATTORNEY FOR (<i>Name</i>): Defendant El Dorado County Transportation Commission	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF EL DORADO STREET ADDRESS: 3321 Cameron Park Drive MAILING ADDRESS: 3321 Cameron Park Drive CITY AND ZIP CODE: Cameron Park, CA 95682 BRANCH NAME: El Dorado County Superior Court	
PLAINTIFF/PETITIONER: Melissa Burghardt and Jeffrey Burghardt DEFENDANT/RESPONDENT: Leslie Knapp; Lynda Terwilliger; et al.	
<p style="text-align: center;">CASE MANAGEMENT STATEMENT</p> (<i>Check one</i>): <input checked="" type="checkbox"/> UNLIMITED CASE (Amount demanded exceeds \$25,000) <input type="checkbox"/> LIMITED CASE (Amount demanded is \$25,000 or less)	CASE NUMBER: 22CV0685
A CASE MANAGEMENT CONFERENCE is scheduled as follows: Date: October 10, 2022 Time: 9:00 a.m. Dept.: 10 Div.: Room: Address of court (<i>if different from the address above</i>): <input checked="" type="checkbox"/> Notice of Intent to Appear by Telephone, by (<i>name</i>): Ellen Taylor	

INSTRUCTIONS: All applicable boxes must be checked, and the specified information must be provided.

1. **Party or parties** (*answer one*):
 - a. This statement is submitted by party (*name*): Defendant El Dorado County Transportation Commission
 - b. This statement is submitted **jointly** by parties (*names*):
2. **Complaint and cross-complaint** (*to be answered by plaintiffs and cross-complainants only*)
 - a. The complaint was filed on (*date*):
 - b. The cross-complaint, if any, was filed on (*date*):
3. **Service** (*to be answered by plaintiffs and cross-complainants only*)
 - a. All parties named in the complaint and cross-complaint have been served, have appeared, or have been dismissed.
 - b. The following parties named in the complaint or cross-complaint
 - (1) have not been served (*specify names and explain why not*):
 - (2) have been served but have not appeared and have not been dismissed (*specify names*):
 - (3) have had a default entered against them (*specify names*):
 - c. The following additional parties may be added (*specify names, nature of involvement in case, and date by which they may be served*):
4. **Description of case**
 - a. Type of case in complaint cross-complaint (*Describe, including causes of action*):
 Plaintiff's Complaint alleges one cause of action for Personal Injury, one cause of action for Personal Injury- Public Entity, and one cause of action for Loss of Consortium.

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4. b. Provide a brief statement of the case, including any damages. *(If personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings. If equitable relief is sought, describe the nature of the relief.)*
 Plaintiff alleges damages resulting from a motor vehicle accident. Plaintiff seeks general damages, medical damages and incidental damages, future medical and incidental expenses, loss of earnings according to proof, prejudgment interest on general and special damages, and costs of suit.

(If more space is needed, check this box and attach a page designated as Attachment 4b.)

5. **Jury or nonjury trial**

The party or parties request a jury trial a nonjury trial. *(If more than one party, provide the name of each party requesting a jury trial):*

6. **Trial date**

- a. The trial has been set for *(date)*:
- b. No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint *(if not, explain)*:
 Defendant was not served until September 2022, so additional time for motions and discovery requests will be warranted.
- c. Dates on which parties or attorneys will not be available for trial *(specify dates and explain reasons for unavailability)*:
 11/12-22 (Conference), 11/18-28, 2/20-24, 4/6-14 (Vacation)

7. **Estimated length of trial**

- The party or parties estimate that the trial will take *(check one)*:
- a. days *(specify number)*: 3-4
 - b. hours (short causes) *(specify)*:

8. **Trial representation** *(to be answered for each party)*

- The party or parties will be represented at trial by the attorney or party listed in the caption by the following:
- a. Attorney:
 - b. Firm:
 - c. Address:
 - d. Telephone number:
 - e. E-mail address:
 - f. Fax number:
 - g. Party represented:
- Additional representation is described in Attachment 8.

9. **Preference**

This case is entitled to preference *(specify code section)*:

10. **Alternative dispute resolution (ADR)**

- a. **ADR information package.** Please note that different ADR processes are available in different courts and communities; read the ADR information package provided by the court under rule 3.221 of the California Rules of Court for information about the processes available through the court and community programs in this case.
 - (1) For parties represented by counsel: Counsel has has not provided the ADR information package identified in rule 3.221 to the client and reviewed ADR options with the client.
 - (2) For self-represented parties: Party has has not reviewed the ADR information package identified in rule 3.221.
- b. **Referral to judicial arbitration or civil action mediation** (if available).
 - (1) This matter is subject to mandatory judicial arbitration under Code of Civil Procedure section 1141.11 or to civil action mediation under Code of Civil Procedure section 1775.3 because the amount in controversy does not exceed the statutory limit.
 - (2) Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.
 - (3) This case is exempt from judicial arbitration under rule 3.811 of the California Rules of Court or from civil action mediation under Code of Civil Procedure section 1775 et seq. *(specify exemption)*:

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10. c. Indicate the ADR process or processes that the party or parties are willing to participate in, have agreed to participate in, or have already participated in (*check all that apply and provide the specified information*):

	The party or parties completing this form are willing to participate in the following ADR processes (<i>check all that apply</i>):	If the party or parties completing this form in the case have agreed to participate in or have already completed an ADR process or processes, indicate the status of the processes (<i>attach a copy of the parties' ADR stipulation</i>):
(1) Mediation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Mediation session not yet scheduled <input type="checkbox"/> Mediation session scheduled for (date): <input type="checkbox"/> Agreed to complete mediation by (date): <input type="checkbox"/> Mediation completed on (date):
(2) Settlement conference	<input type="checkbox"/>	<input type="checkbox"/> Settlement conference not yet scheduled <input type="checkbox"/> Settlement conference scheduled for (date): <input type="checkbox"/> Agreed to complete settlement conference by (date): <input type="checkbox"/> Settlement conference completed on (date):
(3) Neutral evaluation	<input type="checkbox"/>	<input type="checkbox"/> Neutral evaluation not yet scheduled <input type="checkbox"/> Neutral evaluation scheduled for (date): <input type="checkbox"/> Agreed to complete neutral evaluation by (date): <input type="checkbox"/> Neutral evaluation completed on (date):
(4) Nonbinding judicial arbitration	<input type="checkbox"/>	<input type="checkbox"/> Judicial arbitration not yet scheduled <input type="checkbox"/> Judicial arbitration scheduled for (date): <input type="checkbox"/> Agreed to complete judicial arbitration by (date): <input type="checkbox"/> Judicial arbitration completed on (date):
(5) Binding private arbitration	<input type="checkbox"/>	<input type="checkbox"/> Private arbitration not yet scheduled <input type="checkbox"/> Private arbitration scheduled for (date): <input type="checkbox"/> Agreed to complete private arbitration by (date): <input type="checkbox"/> Private arbitration completed on (date):
(6) Other (<i>specify</i>):	<input type="checkbox"/>	<input type="checkbox"/> ADR session not yet scheduled <input type="checkbox"/> ADR session scheduled for (date): <input type="checkbox"/> Agreed to complete ADR session by (date): <input type="checkbox"/> ADR completed on (date):

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11. Insurance

- a. Insurance carrier, if any, for party filing this statement (*name*): Liberty Mutual Insurance
- b. Reservation of rights: Yes No
- c. Coverage issues will significantly affect resolution of this case (*explain*):
 Coverage is undetermined at this time.

12. Jurisdiction

Indicate any matters that may affect the court's jurisdiction or processing of this case and describe the status.

Bankruptcy Other (*specify*):

Status:

13. Related cases, consolidation, and coordination

- a. There are companion, underlying, or related cases.
 - (1) Name of case:
 - (2) Name of court:
 - (3) Case number:
 - (4) Status:
- Additional cases are described in Attachment 13a.
- b. A motion to consolidate coordinate will be filed by (*name party*):

14. Bifurcation

The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action (*specify moving party, type of motion, and reasons*):

15. Other motions

The party or parties expect to file the following motions before trial (*specify moving party, type of motion, and issues*):
 Defendant will be filing a Demurrer and if that is not granted, a Motion for Summary Judgment.

16. Discovery

- a. The party or parties have completed all discovery.
- b. The following discovery will be completed by the date specified (*describe all anticipated discovery*):

<u>Party</u>	<u>Description</u>	<u>Date</u>
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c. The following discovery issues, including issues regarding the discovery of electronically stored information, are anticipated (*specify*):

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17. Economic litigation

- a. This is a limited civil case (i.e., the amount demanded is \$25,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90-98 will apply to this case.
- b. This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed (if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case):

18. Other issues

- The party or parties request that the following additional matters be considered or determined at the case management conference (specify):

19. Meet and confer

- a. The party or parties have met and conferred with all parties on all subjects required by rule 3.724 of the California Rules of Court (if not, explain):
- b. After meeting and conferring as required by rule 3.724 of the California Rules of Court, the parties agree on the following (specify):

20. Total number of pages attached (if any): _____

I am completely familiar with this case and will be fully prepared to discuss the status of discovery and alternative dispute resolution, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date: September 21, 2022

Ellen Taylor, Attorney for Defendant EDCTC

(TYPE OR PRINT NAME)

▶ 

(SIGNATURE OF PARTY OR ATTORNEY)

(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF PARTY OR ATTORNEY)

Additional signatures are attached.

1 **CERTIFICATE OF SERVICE**
2 **STATE OF CALIFORNIA, COUNTY OF SACRAMENTO**

3 I, the undersigned, am a resident of the State of California, over the age of eighteen years, and not a party
4 to the within action. My business address is 555 Capitol Mall, Suite 600, Sacramento, CA 95814.

5 On September 21, 2022, I served the following documents(s) by the method indicated below:

6 **DEFENDANT EL DORADO CTC'S CASE MANAGEMENT STATEMENT**

7 **United States Mail.** I enclosed the document(s) in a sealed envelope or package addressed to
8 the persons at the addresses on the attached Service List and deposited the sealed envelope
9 with the United States Postal Service, with the postage fully prepaid.

10 **Overnight delivery.** I enclosed the document(s) in an envelope or package provided by an
11 overnight delivery carrier and addressed to the persons at the addresses on the attached Service
12 List. I placed the envelope or package for collection and overnight delivery at an office or a
13 regularly utilized drop box of the overnight delivery carrier.

14 **Electronic Mail.** Pursuant to Code of Civil Procedure 1010.6, codifying Emergency Rule 12
15 of the California Rules of Court, the above document in PDF format was transmitted to the
16 e-mail addresses of the parties on the Service List on September 21, 2022.

17 Eric J. Ratinoff
18 Eric Ratinoff Law Corp.
19 401 Watt Avenue
20 Sacramento, CA 95864
21 eric@ericratinoff.com

22 *Attorneys for Plaintiffs*
23 *Melissa Burghardt and*
24 *Jeffrey Burghardt*

25 I declare under penalty of perjury under the laws of the State of California that the above is true and
26 correct. Executed on September 21, 2022, at Sacramento, California.

27 /s/ Rochelle Redmayne
Rochelle Redmayne

SLOAN SAKAI YEUNG & WONG LLP
Attorneys at Law