

**SAMPLES OF WARNINGS ABOUT DEADLINES AND OTHER RULES  
[THE DEADLINES AND RULES SHOWN AS EXAMPLES MIGHT NOT BE CURRENT!!]**

**From Chapter 1 - Appearance By Plaintiff**

- IN ACTIONS TO RECOVER ACTUAL OR PUNITIVE DAMAGES FOR PERSONAL INJURY OR WRONGFUL DEATH, THE AMOUNT DEMANDED IS NOT ALLOWED TO BE STATED IN THE COMPLAINT. (C.C.P. § 425.10) NOTICE OF THE SPECIFIC AMOUNTS CLAIMED IS SET FORTH IN A “STATEMENT OF DAMAGES” (see § 1.5A)
- YOU MUST SERVE THE SUMMONS AND COMPLAINT, AND FILE PROOF OF SERVICE WITHIN 60 DAYS OF FILING THE COMPLAINT (BUT SEE NOTE RE COLLECTIONS CASE EXCEPTION BELOW). Otherwise, an order to show cause may be issued against the plaintiff. (C.R.C., Rules 3.110(b) and (f)) An order increasing the time for service may be sought before the service deadline passes. (See § 1.6.)

**NOTE: COLLECTIONS CASE EXCEPTION TO 60-DAY DEADLINE**



“Collections cases” (defined in C.R.C., Rule 3.740(a)) are exempt from the 60-day deadline. Instead, C.R.C., Rule 3.740(d) provides that the Summons and Complaint must be served, and proof of service filed, or an order for publication of summons must be obtained, within 180 days of filing the complaint, or the court may issue an order to show cause why reasonable monetary sanctions should not be imposed.

**From Chapter 3 - Default By Defendant**

- IF THE PLAINTIFF DOES NOT FILE THE REQUEST FOR ENTRY OF DEFAULT WITHIN TEN DAYS AFTER THE DEFENDANT’S RESPONSE TO THE COMPLAINT WAS DUE, THE COURT CAN FILE AN ORDER TO SHOW CAUSE WHY SANCTIONS SHOULDN’T BE IMPOSED AGAINST THE PLAINTIFF. (C.R.C., RULE 201.7(g))
- C.R.C., RULE 201.7 PROVIDES THAT FAILURE TO OBTAIN DEFAULT JUDGMENT WITHIN 45 DAYS AFTER ENTRY OF DEFAULT MAY RESULT IN AN ORDER TO SHOW CAUSE AS TO WHY SANCTIONS SHOULD NOT BE IMPOSED AGAINST THE PLAINTIFF.

**From Chapter 4 - Appearance By Defendant**

- IF YOU ARE FILING AN ANSWER AND A CROSS-COMPLAINT AGAINST A PARTY ALREADY IN THE ACTION, YOU MUST FILE THEM SIMULTANEOUSLY (SEE C.C.P. §428.50), SO DO NOT PROCEED WITH THIS §4.4 UNTIL YOUR CROSS-COMPLAINT IS READY TO FILE (SEE §4.6.1).

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- THE CROSS-COMPLAINT MUST BE SERVED AND A PROOF OF SERVICE MUST BE FILED WITHIN 30 DAYS OF THE FILING DATE.

#### From Chapter 5 - Discovery

- ANY OBJECTION TO THE NOTICE OF TAKING DEPOSITION (e.g., ON THE GROUND THAT IT IS SET IN A PLACE OUTSIDE § 2025(e)'S GEOGRAPHICAL LIMITS, IT IS SERVED ON LESS THAN 10 DAYS' NOTICE, ETC.) WHICH IS NOT SERVED AT LEAST 3 CALENDAR DAYS PRIOR TO THE DATE SET FOR THE DEPOSITION IS WAIVED. (C.C.P. § 2025(g))

### WARNING!!

**IF YOU DO NOT RESPOND WITHIN THE TIME ALLOTTED, YOU HAVE WAIVED YOUR CLIENT'S RIGHT TO OBJECT TO THE REQUESTS AND THE PROPOUNDING PARTY CAN MOVE TO**

#### From Chapter 6 - Motions

### WARNING!!

**THERE MAY BE SEVERAL TIME LIMITATIONS AFFECTING YOUR RIGHT TO MAKE A MOTION. FAILURE TO COMPLY WITH THE DEADLINES WILL RESULT IN THE WAIVER OF YOUR RIGHT TO MAKE THE MOTION.**

For example, a motion to compel further answers to interrogatories, requests for production, and requests for admission must be brought within 45 days of the service of the particular response (C.C.P. §§ 2030.300(c), 2031.310(c), 2033.290(c)), and must be heard at least 15 days before the *initial* trial date (C.C.P. § 2024.020(a)). A motion for summary judgment must be served at least 75 days in advance of the hearing, and must be heard at least 30 days prior to trial (C.C.P. §437c(a)).

**BE SURE TO CHECK THE APPLICABLE RULES AND CODES**

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### **From Chapter 8 - Settlement and Dismissal**

- Whenever a case is settled, C.R.C., Rule 225 requires that the plaintiff immediately notify the court in writing and, if a hearing, conference or trial is imminent, orally.

BE SURE TO CONTACT ALL APPROPRIATE DEPARTMENTS WHERE MATTERS  
ARE PENDING.