

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME, ADDRESS, PHONE, STATE BAR #) Attorney for:	<i>FOR COURT USE ONLY</i>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS Mailing Address: 801 10 th Street, 4 th Floor, Modesto, CA 95354 Civil Clerk's Office: 801 10 th Street, 4 th Floor, Modesto, CA 95354	
Plaintiff/Petitioner: Defendant/Respondent:	
CASE MANAGEMENT CONFERENCE WAIVER	CASE NUMBER

Good cause appearing:

1. This case is assigned to _____ in Department _____, for all purposes, including trial.
 *Departments 23 and 24 are located at 801 10th Street, 4th Floor, Modesto, CA 95354
 *Departments 21 and 22 are located at 801 10th Street, 6th Floor, Modesto, CA 95354

All filings shall be filed in the Clerk's Office at the City Towers Building, 801 10th Street, 4th Floor.

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You have 30 calendar days to file a written response with this court after the legal papers and the summons were served on you. You must also serve a copy of your written response on the plaintiff.

2. Case Management Conference is waived. Case is exempt from Case Management Conference pursuant to Local Rule 3.02C.
3. The lawsuit shall be placed in Plan 1.
4. The lawsuit shall be set for Court trial on _____ at 08:30 am.
5. Estimated time for trial is ½ day.
6. At least one party demanding a jury trial on each side of a civil case must pay a nonrefundable advance jury fee of \$150.00 on or before the initial case management conference or as otherwise provided by statute.

Dated: _____

by: _____
 Deputy Clerk

Rule 3.740. Management of Collection Cases

- (a) [Definition] “Collections case means an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney fees, arising from a transaction in which property, services or money was acquired on credit.
- (b) [*Civil Case Cover Sheet*] If a case meets the definition in (a), a plaintiff must check the case type box on the *Civil Case Cover Sheet* (form CM-010) **and serve the *Civil Case Cover Sheet* (form CM-010) with the initial complaint.**
- (c) [**Exemption from general time-for-service requirement and case management rules**] A collections case is exempt from: (1) The time-for-service requirement of rule 3.110(b); and (2) The case management rules that apply to all general civil case under rules 3.712-3.715 and 3.721-3.730 unless a defendant files a responsive pleading.
- (d) [**Time for service**] The complaint in a collections case must be served on all named defendants, and proofs of service on those defendants must be filed, or the plaintiff must obtain an order for publication of the summons, within 180 days after the filing of the complaint.
- (e) [**Effect of failure to serve within the required time**] If proofs of service on all defendants are not filed or the plaintiff has not obtained an order for publication of the summons within 180 days after the filing of the complaint, the court may issue an order to show cause why reasonable monetary sanctions should not be imposed. If proofs of service on all defendants are filed or an order for publication of the summons is filed at least 10 court days before the order to show cause hearing, the court must continue the hearing to 360 days after the filing of the complaint.
- (f) [**Effect of failure to obtain default judgment within required time**] If proofs of service of the complaint are filed or service by publication is made and defendants do not file responsive pleadings, the plaintiff must obtain a default judgment within 360 days after the filing of the complaint. If the plaintiff has not obtained a default judgment by that time, the court must issue an order to show cause why reasonable monetary sanctions should not be imposed. The order to show cause must be vacated if the plaintiff obtains a default judgment at least 10 court days before the order to show cause hearing.