

LITIGATION CHECKLIST

FILING COMPLAINT:

- Elements of each cause of action checked
- Statute of limitations checked
- Summons attached
- Local forms required

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- Complaint filed
 - Received file-stamped copy from court
 - Complaint sent to client

SERVICE OF COMPLAINT:

- Complaint sent out for service
- Complaint served
- Proof of Service filed with court

ANSWER:

- Answer filed/received
- Answer served on plaintiff
- Received file-stamped copy of answer from court
- Answer sent to client

CROSS-COMPLAINT:

- Elements of each cause of action checked
- Statute of Limitations Checked
- Cross-complaint filed
- Received file-stamped copy from court
- Cross-complaint sent to client

ANSWER TO CROSS-COMPLAINT:

- Answer to cross-complaint filed/received
- Answer served on cross-complaintant
- Received file-stamped copy of answer from court
- Answer sent to client

DEFAULT

- Statutory time to answer expired
- Notice of default completed
- Notice of default filed with court
- Notice of default served on defendant

- Notice of default sent to client
- Check local rules for default prove-up requirements

- Default prove-up hearing scheduled
- Default prove-up hearing calendared
- Default prove-up hearing evidence gathered

DEFAULT JUDGMENT

- Default judgment prepared
- Default judgment signed by judge
- Default judgment filed with court
- Default Judgment recorded

DEMURRER:

- Demurrer researched for each cause of action
- Demurrer filed with court
- Demurrer hearing date set
- Demurrer hearing date calendared
- Demurrer served on plaintiff
- Order on demurrer prepared
- Order on demurrer filed
- Order on demurrer served on plaintiff

OPPOSITION TO DEMURRER:

- Each point of demurrer researched
- Opposition filed with court
- Opposition served on defendant
- Demurrer hearing date calendared

REPLY TO OPPOSITION TO DEMURRER:

- Reply filed with court
- Reply served on plaintiff

DISCOVERY:

- Discovery plan developed
- Interrogatories sent Answered by Opposition
- Form Interrogatories sent Answered by Opp.
- Request for production of documents Answered by Opp.

- Request for examination of plaintiff Answered by Opp.
- Request to examine land or items Answered by Opp.
- Requests for Admissions Answered by Opp.
- Depositions set:
 - Plaintiff
 - Defendant
 - Other _____
 - _____
 - _____
- Other discovery _____
- Motions to compel deadline checked _____
 - Motion filed
 - Motion served

RESPONSE TO OPPOSITION DISCOVERY

- Interrogatories Answered and Verified
- Form Interrogatories Answered and Verified
- Request for Production of Documents Answered and Verified
- Request for Admissions Answered and Verified
- Deposition dates calendared:
 - Plaintiff
 - Defendant
 - Other
- Other discovery answered

TRIAL PREPARATION

- Trial brief prepared
- Written settlement offers sent
- Status Conference Statements prepared
- Stipulations signed
- Trial notebook prepared
- Motions in Limne prepared
- _____
- _____
- _____
- Jury Instructions prepared
- Witness List Prepared
- Exhibit List prepared
- Subpoenas prepared
 - served
- Subpoena duces tecum prepared
 - served
- Jury fees posted

- ___ Court reporter fees posted
- ___ Voir Dire questions prepared
- ___ Short statement of case prepared
- ___ Notice to produce witnesses and evidence at trial
served on opposition
- ___ Witnesses prepared for trial
- ___ Copies of all documents or document books prepared