

Superior Court of California, County of Contra Costa

Martinez
725 Court
Street
Martinez, CA
94553

Pittsburg
1000 Center
Drive
Pittsburg, CA
94565

Richmond
100 37th
Street
Richmond, CA
94805

VS.

**STIPULATION TO
PARTICIPATE IN
DISCOVERY FACILITATOR
PROGRAM (DFP) AND TOLL
RELATED FILING
DEADLINES**

CASE NO.

The parties and respective counsel STIPULATE, UNDERSTAND and AGREE to participate in the Discovery Facilitator Program (DFP) under Local Rule 3.300 *et seq.*

For this reason, the parties and counsel further STIPULATE, UNDERSTAND and AGREE that any filing deadlines applicable to motions to compel discovery, and for which the parties may stipulate to tolling, **shall be TOLLED** from the period between the last execution date of this stipulation to and including the earlier of __ days after: 1) the date the Discovery Facilitator serves the “Recommendations of Discovery Facilitator and Termination of Appointment of Discovery Facilitator” (Local Form ADR-616); 2) the date the Court confirms by order, or by notice from the Alternative Dispute Program Coordinator, that the matter will not proceed under the DFP; or 3) the date the Court otherwise confirms in writing that the parties’ participation in the DFP has terminated.

Filing deadlines to which this tolling period are applicable include, but are not limited to, those for Interrogatories (Code Civ. Proc. § 2030.300(c)), Requests for Demands for Inspection of Things or Documents (“Inspection Demand” or “Requests for Production”) (Code Civ. Proc. § 2031.310(c)), and Requests for Admission (Code Civ. Proc. §§ 2033.290(c)).

Tolling under this stipulation **shall not apply** to motions pursuant to Code of Civil Procedure section 2025.480(b), which does not allow for extensions of the 60-day deadline for filing motions. Therefore, parties who participate in the DFP program must adhere to the 60-day rule.

SO STIPULATED.

Plaintiff

Defendant

PRINT NAME

PRINT NAME

SIGNATURE

SIGNATURE

DATE

DATE

Plaintiff

Defendant

PRINT NAME

PRINT NAME

SIGNATURE

SIGNATURE

DATE

DATE

*EACH PARTY MUST SIGN THIS FORM. USE ADDITIONAL PAGES FOR MULTIPLE
PLAINTIFFS OR DEFENDANTS.*

Do I have to sign this form?

No, you are not required to sign this form. If you decide to sign this form and participate in the DFP (Discovery Facilitator Program), your case may be given calendaring priority if a motion to compel is filed.

Why am I asked to sign this form?

The court no longer mandates participation in the DFP for non-exempt civil discovery motions. The program is now discretionary, and your stipulation is required to show your understanding and agreement to waive the relevant deadlines, where permitted, applicable to discovery motions to permit participation in the program.

This form is mandatory.

If you decide to participate in the DFP, you must sign this stipulation. No other versions will be accepted for filing.

Where should I send this form?

This form along the Request For Assignment of Discovery Facilitator should be emailed to adrdiscoveryfacilitator@contracosta.courts.ca.gov.

What about motions where the deadline is “promptly” – such as motions for protective order under Code of Civil Procedure section 2025.420?

For motions not subject to a fixed deadline for filing but which must be filed promptly, no tolling is required. In these circumstances, the court will consider calendaring priority on a case by case basis.

Additional questions regarding the DFP should be directed to the ADR Program Coordinator at adrdiscoveryfacilitator@contracosta.courts.ca.gov.

