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LOS ANGELES
SUPERIOR COURT

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Dept. 323

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FILE BY FAX

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

16 BRINK'S INCORPORATED
 17 WAGE AND HOUR CASES

Judicial Council Coordination Proceeding
 No. JCCP 4543

Included Actions:

Assigned to Dept. 323

18 ANGEL RODRIGUEZ v. BRINK'S
 19 INCORPORATED, et al (BC 392462)

Los Angeles County Superior Court Case
 No. BC 392462

20 LUIS POLANCO v. BRINK'S
 21 SECURITY et al (BC 410374)

Los Angeles County Superior Court Case
 No. BC 410374

22 VESNA DUNCAN v. BRINK'S
 23 INCORPORATED et al (BC 423237)

Los Angeles County Superior Court Case
 No. BC 423237

[PROPOSED] ORDER RE ELECTRONIC SERVICE

Action Filed: July 2, 2010
 Trial Date: None Set

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1 Pursuant to the California Rules of Civil Procedure, the Court finds that entry of this
2 Order is necessary for the just and more expeditious and efficient resolution of the above-
3 captioned litigation.

4 When a party to this litigation wishes to serve a document to counsel of record, that party
5 shall effectuate service of the document by the procedure set forth in this Order (subject to the
6 exceptions outlined herein):

7 **I. LEXISNEXIS FILE & SERVE**

8 1. In order to facilitate case management, document retrieval and case organization,
9 the parties will utilize the services of LexisNexis and its litigation system File & Serve for
10 providing electronic service, storage and delivery of court-filed documents through a secure
11 website to facilitate expeditious, efficient and economical communication by and amongst
12 counsel. The Court, at its option, may also use File & Serve for these purposes as well to
13 communicate with counsel of record.

14 **II. SERVICE ONLY**

15 1. File & Serve shall apply only to the service of documents, and not to their filing.
16 Original documents must still be filed in the traditional manner (i.e., filing the signed original
17 document with the Court), pursuant to the applicable California Rules of Civil Procedure and
18 Local Rules of this Court.

19 **III. SERVICE LIST & SIGN-UP**

20 1. Within five (5) days of this Order or five (5) days of the initiation of a new case in
21 this litigation, plaintiff's or liaison counsel, Shawn Westrick, to LexisNexis shall submit via email
22 to LexisNexis, keith.foote@lexisnexis.com, a complete and current service list of counsel of
23 record for this litigation. Within five (5) days of this Order, each attorney of record for this
24 litigation, or within five (5) days of the entry of appearance for a new attorney of record, shall
25 register for electronic service in this litigation by completing the registration located at the
26 following website: <http://www.lexisnexis.com/fileandserve> and shall notify plaintiff's or liaison
27 counsel that they will need to be added to the service list.

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1 2. Counsel for Plaintiff Vesna Duncan, Shawn Westrick, shall be liaison counsel to
 2 LexisNexis for all service list changes. Counsel for Plaintiff Vesna Duncan, Shawn Westrick,
 3 shall be responsible for monitoring the service list and advise Liaison Counsel of any changes or
 4 corrections. The service list will identify one counsel of record for each firm, along with parties
 5 they represent, who are to receive service of documents in the case utilizing File & Serve. Once a
 6 firm is registered on File & Serve, each firm will be provided functionality on File & Serve to
 7 designate a firm administrator to control the addition and deletion of registered users on File &
 8 Serve for their firm.

9 **IV. SERVICE OF DOCUMENTS AND WEBSITE**

10 **A. Establishment and Use of the File & Serve Website Generally**

11 1. When any counsel of record wishes to serve a document, that counsel shall
 12 serve the document according to all the requirements and procedures of this Order. All references
 13 to "document" in this Order shall be interpreted to include any exhibits or attachments to the
 14 document and shall include all pleadings.

15 2. LexisNexis will maintain the File & Serve internet website ("File &
 16 Serve") for this litigation. When a transaction is submitted on File & Serve, File & Serve will
 17 electronically serve each document on the parties included on the service list provided to
 18 LexisNexis in accordance with the procedures herein.

19 3. Each attorney shall serve each document via electronic transfer of the
 20 document through File & Serve via the Internet (either as a word-processing file or a scanned
 21 image of the document). Each attorney shall title each document to identify the type and purpose
 22 of each document and the party who is submitting such document. Each document electronically
 23 served pursuant to this Order shall be deemed to have been served under the California Rules of
 24 Civil Procedure.

25 4. After an attorney uploads a document onto File & Serve, File & Serve will
 26 convert such document into Adobe Portable Document Format ("PDF").

27 5. All documents posted on File & Serve will be identified by: (a) the name of
 28 the serving law firm; (b) the caption(s) of the case(s) to which the document belongs; (c) the title

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1 of the document set forth on its caption; and (d) the identity of the party on whose behalf the
2 document is being served.

3 6. Access to File & Serve will be limited to registered users. Registered users
4 will consist of authorized Court personnel, counsel of record and their designated staff members.
5 Upon registration, LexisNexis will provide each registered user with a user name and password to
6 access File & Serve and the documents served in the litigation.

7 7. Every pleading, document and instrument served electronically shall bear a
8 facsimile or typographical signature of at least one of the attorneys of record, along with the typed
9 name, address, telephone number and Bar of California number of such attorney. Typographical
10 signatures shall be treated exactly as personal signatures for purposes of electronically served
11 documents under the California Rules of Civil Procedure. The serving party of any document
12 requiring multiple signatures (e.g., stipulations, joint status reports) must list thereon all the
13 names of other signatories by means of an "/s/ ____" block for each. By submitting such a
14 document, the serving party certifies that each of the other signatories has expressly agreed to the
15 form and substance of the document and that the serving party has the actual authority to submit
16 the document electronically. The serving party must maintain any records evidencing this
17 concurrence for subsequent production to the Court if so ordered or for inspection upon request
18 by a party.

19 8. Any document transmitted to File & Serve shall certify in the Proof of
20 Service that a true and correct copy was electronically served on counsel of record by
21 transmission through LexisNexis File & Serve, the date and time to be used on the Proof of
22 Service will be the date and time reflected on the Transaction Receipt provided after submitting a
23 transaction on File & Serve.

24 9. LexisNexis will make available to counsel of record and the Court a 24-
25 hour 365 days Customer Support hotline at (888) 529-7587 and website -
26 <http://www.lexisnexis.com/fileandserve/support.asp>. In addition, each attorney is instructed to

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1 review Exhibit A attached to this Order which sets forth the procedure for registration with and
2 service through LexisNexis File & Serve. See Exhibit A, LexisNexis File & Serve Welcome Kit.

3 **IT IS SO ORDERED.**

4 Dated: May 6, 2011

ELIHU M. BERLE
Judge of the Superior Court

Judge

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EXHIBIT A

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Your File & Serve Litigation Executive:
 Keith G. Foote
 800.523.8168 x4581
 keith.foote@lexisnexis.com

Exhibit A

LexisNexis® File & Serve Welcome Kit

1. Step 1: Registration

If this is your firm's first LexisNexis File & Serve case, *you will need to create a LNF&S account before registering. The firm must designate an administrator who will create the account and add users. The administrator will follow the Instructions for New Subscribers in Section A.*

If your firm has a LexisNexis File & Serve account, *contact your firm's administrator to obtain a user name & password for yourself and anyone else who will need to serve or access documents in the case. The administrator will follow the Instructions for Existing Subscribers in Section B.*

To find out if your firm has a LexisNexis File & Serve account or the name of your administrator, please call Customer Support at 1.888.529.7587.

**Section A: Instructions for New Subscribers
(Administrator sets up account and registers new users)**

1. Visit www.lexisnexis.com/fileandserve/lawfirms/register.asp and click Register.
2. Add organization information.
3. Add user information for administrator (primary contact).
4. Add user information for every attorney and staff member in your firm who will need a user ID and password. Include full name, phone, fax, email and bar number (for attorneys). **All attorneys of record must have a user ID and password.**
5. Review system requirements.
6. Review and accept Terms of Service Agreement by selecting an authorizing attorney.

**Section B: Instructions for Existing Subscribers
(Administrator adds users to existing account)**

1. Sign on to www.lexisnexis.com/fileandserve
2. Select Preferences in the upper right hand corner of the screen. Click Firm Profile.
3. Click the Add Users tab and enter user information for every attorney and staff member who will need a user ID and password. Include full name, phone, fax, email and bar number (for attorneys). **All attorneys of record must have a user ID and password.**

2. Step 2: Training

We strongly recommend that all of the users in your firm (including attorneys) take advantage of LexisNexis File & Serve free, online training classes.

Classes will cover:

- The basics of using LexisNexis File & Serve to serve documents
- How to retrieve your documents
- Setting up User Preferences

To register for a class, please sign on to the product, click on the Resource Center link in the upper right of the product, then choose your state from the drop down menu for online training classes under Education & Training. Dates and times of classes will be posted on the Resource Center.

For training questions, call 800-399-6934 or email fileandservetraining@lexisnexis.com