File & ServeXpress™
by Mozato

San Francisco Superior Court - Asbestos Cases

Instructions for Using the Form Entitled
"Request To Remove Party/Law Firm from Service List"

1. The form entitled "Request to Remove Party/Law Firm from File & ServeXpress Service List" is attached as the last page of these instructions. This form should be used by a defense firm in the following two situations only.

   A. Data Feed Cases
      A defense firm should use the form to remove a party and/or firm from a File & ServeXpress service list in a data feed case where the defense firm cannot provide a dismissal, substitution of attorney, withdrawal of attorney or disassociation of attorney to File & ServeXpress to support a removal request.

      Note: Data feed cases are those cases that have one of the following firm names in parentheses at the end of the case name on File & ServeXpress: Brayton, Paul Hanley, Levin Simes or Baron Budd.

   B. Non-Data Feed Cases
      A defense firm should use the form to remove a party and/or firm from a File & ServeXpress service in all non-data feed cases.

2. The defense firm should fill out the top half of the form and the date upon which the form becomes self-executing (at the bottom of the form).

   Note - Master Asbestos Case: A defense firm should not use this form to request removal of a party and/or firm from the File & ServeXpress service list for the master asbestos case (In Re Complex Asbestos Litigation - case no. 828684). The File & ServeXpress service list for the master asbestos case is an automated compilation of File & ServeXpress service lists from all other asbestos cases. Therefore, the party and/or firm must be removed from the File & ServeXpress service list in all other asbestos cases first. Once that is done, the party and/or firm will be automatically removed from the File & ServeXpress service list for the master asbestos case.

3. The defense firm shall fax or e-serve the form to the plaintiff firm's designated contact person. A proof of service is not required. For a list of each plaintiff firm, its contact person and his/her fax number, click here to access the document entitled "Contact Information for Plaintiff Firms," which is posted on the San Francisco "Rules & Procedures" page located on the File & ServeXpress Resource Center.

4. Upon receiving the form, the plaintiff firm must either:

   A. Approve the form by signing it and sending the form back to the defense firm; or

   B. Reject the form by writing the reason for the rejection on the form and sending the form back to the defense firm.

5. If the plaintiff firm approves the form in a Brayton or Baron Budd case, the plaintiff firm will update the File & ServeXpress service list via the data feed, so no further action is needed by the defense firm. If the plaintiff firm approves the form in any other case (i.e., those cases other than Brayton or Baron Budd cases), the defense firm must remove the party and/or firm by using the Case & Party Management feature. As part of this process, the defense firm will be required to upload the form that has been approved and signed by the plaintiff firm to support the request. For additional instructions on how to use the Case & Party Management feature, click here to access the document entitled "Using Case & Party Management," which is posted on the San Francisco "Rules & Procedures" page located on the File & ServeXpress Resource Center.

   Note - Voluminous Removals: For removals from the File & ServeXpress service lists that are too voluminous to make through the Case & Party Management feature, File & ServeXpress can make the changes. In this situation, the defense firm should call Client Support at 1-888-529-7587 for a ticket to be generated and tracked to completion. The defense firm should be prepared to provide the form that has been approved and signed by the plaintiff firm, along with a spreadsheet listing the following information for each case where the service list needs to be changed: case name; case number; party name; name of the law firm representing the party; and whether the party, firm or both need to be removed from the service list.

6. If the plaintiff firm rejects the form and the defense firm disagrees with the reason written on the form, the two firms should try to resolve the dispute. If the dispute cannot be resolved, the defense firm's recourse is to file a motion seeking the court's approval to remove the party and/or firm from the File & ServeXpress service list. The defense firm should not call File & ServeXpress to resolve the dispute.

7. If the plaintiff firm does not notify the defense firm that it has approved or rejected the form within 20 days from the date of the fax transmission or e-service, the form will become self-executing. The defense firm can then remove the party and/or firm by using the Case & Party Management feature. As part of this process, the defense firm will be required to upload the form with the date the form became self-executing filled in at the bottom. For additional instructions, click here to access the document entitled "Using Case & Party Management," which is posted on the San Francisco "Rules & Procedures" page located on the File & ServeXpress Resource Center.

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Note - Data Feed Cases: If the form has become self-executing, and a data feed case is listed on the form, the defense firm should not use the Case & Management feature to remove a party and/or firm from the data feed case. Otherwise, the data feed will automatically override the change and put the party and/or firm back on the service list. In this situation, the defense firm should follow the instructions in Step # 6 above to remove the party and/or firm from the File & ServeXpress service list.

REQUEST TO REMOVE PARTY/LAW FIRM
From File & ServeXpress Service List

To: **Plaintiff's Counsel:**_____
       Firm and individual attorney(s)

From: Complete Name of Party
       Submitting This Request:_____

☐ Defendant   ☐ Other (specify)_____

Name of Individual Submitting This Request:_____

Firm Representing Requesting Party:_____

Address:_____

Phone:_____   Fax:_____

Email:_____

Case:_____   Docket #_____

**Specify why the party and/or law firm seeks to be removed from the service list and attach
any relevant documents:**_____

_____

Signature:_____   Dated:_____

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Plaintiff's Counsel's Response: ☐ **Agree to Removal**   ☐ **Disagree**

Signature and Title:_____

Please specify reason for disagreement:_____

_____

Name and email contact of Plaintiff's Counsel:_____

NOTICE

THIS FORM IS SELF-EXECUTING 20 DAYS FOLLOWING THE DATE OF FAX OR
E-SERVICE. THE EFFECTIVE DATE FOR REMOVAL IS_____.