

**PUBLISHED IN THE LOS ANGELES DAILY JOURNAL**  
**March 22, 2011**

### **WHEN DOES THE FIVE-YEAR CLOCK STOP TICKING?**

Richard Kellner and Lina Melidonian explore California's five-year rule in litigation in an article published in the Los Angeles Daily Journal on March 22, 2011. The article, "When Does the Five-Year Clock Stop Ticking," focuses on the recent California Supreme Court decision in *Bruns v. E-Commerce Exchange* and California Code of Civil Procedure Section 583.310, which requires the dismissal of cases if they are not prosecuted within five years. The *Bruns* decision, Kellner and Melidonian note, provides litigants and jurists with more guidance on when that rule applies.

"While the Court's decision in *Bruns* provides plaintiffs with a solid mechanism to preserve their day in court, as California's budget crisis has forced the closure of dozens of courthouses across the state, it is crucial for attorneys to realize that extended delays caused by getting a hearing date on the court's docket could end up running against a client's ultimate best interests, not only imminently, but also in the long run," according to Kellner and Melidonian.