

**COMMERCIAL & FEDERAL
LITIGATION SECTION**

**Individual Practices of the Justices of
The New York State
Commercial Division**

<http://www.nysba.org/IndividualPracticesofCDJustices/>

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(Effective through November 14, 2014)

GENERAL INFORMATION

Commercial Division – NY Supreme Court

<http://www.courts.state.ny.us/courts/comdiv/>

Commercial Division – Statewide Rules

<http://www.courts.state.ny.us/rules/trialcourts/202.shtml#70>

Commercial Division – A Brief History

<http://www.courts.state.ny.us/courts/comdiv/history.shtml>

Commercial Division database – State Reporter

<http://iapps.courts.state.ny.us/lawReporting/Search>

NOTE:

In New York County, all Commercial Division international arbitrations are assigned to Justice Ramos, who has issued individual rules for such proceedings. A copy of Justice Ramos' International Arbitration Part Rules are annexed hereto as Exhibit "A".

NOTE:

In Onondaga County, all Commercial Division Tax Certiorari matters are assigned to Justice Greenwood. A copy of Judge Greenwood's Tax Certiorari Part Rules are annexed hereto as Exhibit "B".

Rule 1 (a). Appearance by Counsel with Knowledge and Authority. Counsel who appear in the Commercial Division must be fully familiar with the case in regard to which they appear and fully authorized to enter into agreements, both substantive and procedural, on behalf of their clients. Counsel should also be prepared to discuss any motions that have been submitted and are outstanding. Failure to comply with this rule may be regarded as a default and dealt with appropriately. See Rule 12.

District / County	Justice	Part Specific Rule
Kings		
	All Justices	An appearance by an attorney with knowledge of the case and authority to bind the party is required on all motions and conferences.
Nassau		
	DeStefano	ATTORNEYS OF RECORD - Attorneys who have appeared in the matter are to make all appearances until they are relieved by the Court or a Consent to Change Attorneys has been filed with Part 19 and with the Clerk of the Court. STAFF - The Court functions through the aid and assistance of the courtroom and Chambers staff. They are expected to treat attorneys, litigants and others in a dignified and civil manner. In addition, they are to be treated in a civil and professional manner at all times.
New York		
	Brantsen	Parties are to bring copies of all prior discovery orders to each court appearance.
	Friedman	Compliance Conferences: The parties shall bring to any compliance conference copies of all prior discovery orders, discovery stipulations, and so ordered letters.
	Kornreich	All parties should familiarize themselves with the Commercial Division Rules, including what constitutes a commercial case. A copy of the Rules is available at: http://www.nycourts.gov/courts/comdiv/newyork_rules.shtml
	Kornreich	An attorney appearing for a preliminary, status of compliance conference must be fully familiar with the case.
	Kornreich	Parties are to bring copies of ALL prior discovery orders to each and every court appearance.
	Oing	All parties and counsel should familiarize themselves with the Commercial Division Rules (http://www.nycourts.gov/courts/comdiv/).
	Oing	Counsel shall bring copies of all prior discovery orders to each and every Court appearance.
	Oing	Counsel appearing shall be familiar with the case and have the authority to discuss all discovery issues and to participate in a settlement conference.
	Scarpulla	These Practices supplement the Rules of the Commercial Division, 22 NYCRR 202.70. [fn. All parties or their counsel must familiarize themselves with the Commercial Division Rules, available at: http://www.nycourts.gov/rules/trialcourts/202.shtml#70 .]
	Scarpulla	Only attorneys thoroughly familiar with the case may appear. Bring signed copies of all prior decisions and orders to the conference.
	Scarpulla	All cases in Part 39 are required to be electronically filed through the New York State Courts E-Filing (NYSCEF) system. Attorneys are expected to familiarize themselves with NYSCEF procedures at http://iapps.courts.state.ny.us/nyscef/Login . For more information on e-filing rules, parties may also visit: http://www.nycourts.gov/courts/1jd/supctmanh/e-filing.shtml
	Sherwood	Commercial Division Rules. Parties should be familiar with the Commercial Division Rules (Uniform Rules for the New York State Trial Courts, §202.70 [“Uniform Rules”]), available at www.nycourts.gov/courts/comdiv/newyork.shtml
Queens		
	Hart	Counsel, with knowledge of the case and with full authority to settle, enter into binding stipulations or try the case, must be present in Court to answer the motion calendar or trial calendar, where applicable. This applies as well to parties representing themselves in a pro se capacity.
	Kitzes	The Court requests that any attorney appearing on a case for any purpose must be familiar with the case, ready and authorized to resolve any and all issues.
	Ritholtz	Counsel should be familiar with 22NYCRR202.70-Rules of the Commercial Division of the Supreme Court.

District / County	Justice	Part Specific Rule
	Ritholtz	Pursuant to 22NYCRR202.70, Rule 1(a), counsel who appear in the Commercial Division must be fully familiar with the case in regard to which they appear and fully authorized to enter into agreements, both substantive and procedural, on behalf of their clients. Counsel should also be prepared to discuss any motions that have been submitted and are outstanding. Failure to comply with this rule may be regarded as a default and dealt with appropriately (see 22NYCRR202.70, Rule 12).
Suffolk		
	Emerson	An appearance by an attorney with knowledge of the case and authority to bind the party is required on at all conferences.
	Emerson	Pro Se litigants shall be notified of all conference and Court appearances, and shall be served with all papers.
Westchester		
	Jamieson	Counsel are expected to be familiar with the Commercial Division Rules and comply therewith. The following information is offered as a guide to the practices followed by this Court. In the event the Part Rules are silent, the Rules set forth in 22 NYCRR § 202.70 control.

Rule 1 (b). Appearance by Counsel with Knowledge and Authority. Consistent with the requirements of Rule 8(b), counsel for all parties who appear at the preliminary conference shall be sufficiently versed in matters relating to their clients' technological systems to discuss competently all issues relating to electronic discovery. Counsel may bring a client representative or outside expert to assist in such discussions.

District / County	Justice	Part Specific Rule

Rule 1 (c). It is important that counsel be on time for all scheduled appearances.

District / County	Justice	Part Specific Rule
Nassau		
	DeStefano	Generally, calendar call is at 9:30 am. If your case is scheduled for 9:30 A.M. that means your case should be ready to be heard at that time. If your case is scheduled for 9:30 A.M. but not ready to be heard by 10:15 A.M., due to other court appearances or factors beyond your control, absent a prior arrangement with the Court, your case will be heard at a time that the court determines to be convenient. In no way does the foregoing alter or limit any of the options available to the Court in the event of an attorney or litigant's failure to timely appear (22 NYCRR 130-2.1, 202.27).

Rule 2. Settlements and Discontinuances. If an action is settled, discontinued, or otherwise disposed of, counsel shall immediately inform the court by submission of a copy of the stipulation or a letter directed to the clerk of the part along with notice to chambers via telephone or e-mail. This notification shall be made in addition to the filing of a stipulation with the County Clerk.

District / County	Justice	Part Specific Rule
8th		
	Walker	In any discontinued action, the attorney for the defendant shall file a stipulation or statement of discontinuance with the appropriate county clerk within twenty (20) days of such discontinuance, and shall provide Chambers with a date-stamped copy of same. If the action has been noticed for judicial activity within twenty (20) days of such discontinuance, the stipulation or statement shall be filed before the date scheduled for such activity.
Nassau		
	DeStefano	No out of court settlement will be recognized or accepted unless counsel submits a letter, on notice to opposing counsel, and, if applicable, the Law Guardian, submitting the executed settlement agreement/stipulation or certifying that such agreement/stipulation has, in fact, been executed.
New York		
	Scarpulla	Counsel must notify the Court, as soon as practicable, by conference call or letter, of any settlement or resolution of active cases or pending motions, so as to avoid the unnecessary use of Court resources on matters that are resolved or will imminently be resolved. * In this regard, note the requirements of 22 NYCRR 202.7, Rule 2.
Queens		
	Grays	If an action is settled, discontinued or otherwise disposed of, counsel shall immediately inform the court by submission of a copy of the stipulation or a letter directed to the Clerk of the Part. All Stipulations of discontinuances must be accompanied by proof of payment of the appropriate fee. (CPLR §8020(d)(l)).
	Hart	If an action is settled, discontinued or otherwise disposed of, counsel shall immediately inform the court by submission of a copy of the stipulation or a letter directed to the Clerk of the Part. All stipulations of discontinuances must be accompanied by proof of payment of the appropriate fee. (CPLR § 8020(d)(1)).
	Ritholtz	If an action is settled, discontinued or otherwise disposed of, counsel shall immediately inform the Court by submission of a copy of the stipulation or a letter directed to the Clerk of the Part.
Suffolk		
	Emerson	Counsel must advise Chambers if a case has settled and notify the Court if such a case has any pending motions.

Rule 3. Alternative Dispute Resolution (ADR). At any stage of the matter, the court may direct or counsel may seek the appointment of an uncompensated mediator for the purpose of mediating a resolution of all or some of the issues presented in the litigation.

District / County	Justice	Part Specific Rule
Kings		
	All Justices	In the interest of expediting prompt resolution of disputes at minimum expense to the litigants, a mediation program is available through the Kings County Commercial Division. Pursuant to Uniform Rules § 202.70(g)(3), the Court may direct counsel and the parties to participate in non-binding mediation. In Kings County, experienced former jurists, acting as JHO's, are available at no expense to the parties. Alternatively, Kings County has available a roster of trained practitioners willing to accept a referral from the Court for mediation, to whom you may be referred. Discovery continues pending mediation unless otherwise ordered by the Court.
New York		
	Friedman	If, at any point, the parties decide that they could benefit from Commercial Division ADR or other mediation, they may write a joint letter to the Court asking to be referred to ADR or other mediation. In the letter, they should state whether they prefer that discovery continue or be stayed during the mediation process.
	Oing	If, at any point, the parties decide that they could benefit from Commercial Division ADR or other mediation, they may write a joint letter to the Court asking to be referred to ADR or such other mediation. In that letter, they should state whether they prefer that discovery continue or be stayed during the mediation process.
	Scarpulla	If, at any point, the parties decide that they could benefit from the Commercial Division ADR program, they should write a joint letter to the Court asking to be referred to ADR. In that letter, they should state whether they prefer discovery be stayed or continue during the mediation process.
	Scarpulla	The Court may also choose to order parties to the Commercial Division ADR program without the parties' request or consent.
	Scarpulla	For more information regarding the ADR program please visit: http://www.nycourts.gov/courts/comdiv/ADR_overview.shtml
	Sherwood	Mediation. If, at any point, the parties decide that they could benefit from Commercial Division ADR or other mediation, they should write a joint letter to the court asking that the case be referred. In that letter, counsel should state whether the parties prefer that discovery continue or be stayed during the mediation process.
Queens		
	Ritholtz	Pursuant to 22NYCRR202.70, Rule 8(a), all parties shall consult prior to a Preliminary or Compliance Conference about (1) resolution of case; (2) discovery and other issues, including anticipated electronic discovery issues pursuant to 22NYCRR202.70, Rule 8(b), and; (3) the possible use of alternative dispute resolution (22NYCRR202.70, Rule 3; Queens Supreme Court ADR Rules, dated 9/17/13). Counsel shall make a good faith effort to reach an agreement on these matters in advance of the conference.
Suffolk		
	Emerson	If, at any point, the parties decide that they could benefit from Commercial Division ADR or other mediation, they should write a joint letter to the Court asking to be referred to ADR or such other mediation. In that letter, they should state whether they prefer that discovery continue or be stayed during the mediation process. Further information on the Court sponsored ADR program can be found at www.nycourts.gov
Westchester		
	Jamieson	If at any point the parties decide that they could benefit from Commercial Division ADR or other mediation, they may write a joint letter to the Court asking to be referred to ADR or other mediation. In the letter, they should state whether they prefer that discovery continue or be stayed during the mediation process.

Rule 4 (a). Papers and correspondence by fax. Papers and correspondence filed by fax should comply with the requirements of section 202.5-a except that papers shall not be submitted to the court by fax without advance approval of the justice assigned. Correspondence sent by fax should not be followed by hard copy unless requested.

District / County	Justice	Part Specific Rule
Kings		
	All Justices	<p>Other than as expressly provided in the Rules of the Commercial Division, the Court will not accept or entertain letter applications for substantive relief.</p> <p>Unless directed by the Court, no communications are to be FAXED to Chambers other than stipulations of adjournment in compliance with these Rules and PC</p> <p>Orders prepared in conformity with Rule 7 herein.</p>
Nassau		
	DeStefano	<p>In all communications with chambers by letter, the title of the action, full names of the parties and index number shall be set forth, with copies simultaneously delivered to all counsel.</p> <p>Copies of correspondence between counsel shall not be sent to the Court except as these Part Rules and 22 NYCRR 202.7 permits.</p> <p>The Court will not accept telefax communications or submissions without prior permission.</p> <p>The court will never accept ex parte communications on any substantive issue.</p>
New York		
	Bransten	<p>Correspondence to the court must be e-filed, sent in hard copy to the Part 3 courtroom, Room 442, and sent to all parties. Letters, without exhibits, may also be faxed to the court's chambers, in addition to being e-filed. The Court's fax number is 212-374-1475.</p>
	Oing	<p>Where all parties consent to the adjournment, the requesting counsel shall deliver such stipulation by facsimile to 212-952-6553, and shall be responsible for e-filing the stipulation.</p>
	Oing	<p>A Court approved adjournment shall be reduced to a written stipulation prepared by the requesting counsel and must be signed by all counsel. If applicable, the stipulation shall set forth a briefing schedule. The requesting counsel shall deliver the stipulation to Part 48 by facsimile to 212-952-6553, and shall be responsible for e-filing the stipulation.</p>
	Oing	<p>Papers and/or correspondence shall not be delivered by facsimile or e-mail unless expressly permitted by the Court.</p>
	Oing	<p>Correspondence shall not exceed 3 pages in length (excluding exhibits).</p>
	Oing	<p>All e-filed papers that require judicial review and approval shall be delivered, by mail or hand-delivery, directly to Part 48, 60 Centre Street, Room 242. They are not be delivered by facsimile or e-mail unless expressly permitted by the Court. The Court does not require courtesy copies of the pleadings.</p>
	Oing	<p>If a motion is withdrawn or resolved, counsel shall promptly notify Chambers by facsimile. Counsel shall also e-file such notice.</p>
	Ramos	<p>Requests for Adjournment: Absent extraordinary circumstances, no motion scheduled for oral argument in Part 53 will be adjourned unless the request for adjournment is received by the Part Clerk no later than noon the day prior to the scheduled argument. Otherwise, only one adjournment is allowed per argument on a motion or conference, no matter which side requests it or even if all parties agree.</p> <p>Please DO NOT CALL OR SEND letters/faxes to chambers or the courtroom to request an adjournment.</p> <p>Any and all requests for an adjournment shall be made by E-mail, cc'ed to all parties, to RCE53@courts.state.ny.us</p>
	Ramos	<p>Part 53 conducts telephone conferences everyday between 4 and 5 P.M. Even if you are in the building on another matter, you shall not appear in person in either Chambers or the Part for a scheduled telephone conference. A party to the case must initiate the call with all parties on the line before contacting the court, or provide dial-in information (via fax) at least 24 hours before the scheduled call. A reservation is not necessary. WHEN CONTACTING THE PART OR CHAMBERS, THE PARTIES MUST HAVE THE INDEX NUMBER AVAILABLE.</p>
	Scarpulla	<p>Justice Scarpulla does not accept any correspondence, documents, or papers by mail or facsimile unless expressly permitted by these Practices, the Rules of the Commercial Division, or by prior approval of the Court.</p>

District / County	Justice	Part Specific Rule
	Sherwood	<p>Communicating with the Court. Litigants may communicate with the court by mail, email, or by telephone as follows:</p> <p>A. Written correspondence. Hard copies of letters to Justice Sherwood may be mailed or hand-delivered to Part 49, Room 252, 60 Centre Street, New York, New York 10007. Correspondence may not be faxed without prior permission of the Part Clerk. All letters concerning a substantive issue (e.g., letter-briefs, discovery disputes) must also be e-filed.</p> <p>B. Telephone calls. Litigants may call the Part Clerk, (646) 386-4033.</p> <p>C. E-mail - Litigants may e-mail the Part Clerk at rmedina@nycourts.gov.</p>
Queens		
	Grays	<p>NO TELEPHONE INQUIRIES CONCERNING MOTIONS OR APPLICATIONS MAY BE MADE TO CHAMBERS.</p> <p>All such inquiries must be made to Motion Support (718-298-1009), or to the Ex Parte Office (718-298-1018), or to the Clerk of the Part (718-298-1214), or to the Foreclosure Clerk at (718) 298-1092.</p> <p>DO NOT MAKE ANY INQUIRES VIA E-MAIL TO THE COURT.</p>
Suffolk		
	Pines	<p>Correspondence with chambers shall only be filed electronically. Duplicate or working copies of correspondence shall not be submitted via any other means, including mail and/or fax.</p>
Westchester		
	Jamieson	<p>Written correspondence: No written correspondence may be sent to the Court without copying all parties or their counsel.</p>
	Scheinkman	<p>Part will reject any hard copy submissions in e-filed cases unless those submissions bear the Cover Sheet for Hard Copy Submission – E-Filed Case required by Uniform Rule § 202.5-b(d)(1). The form is available at www.nycourts.gov/efile.</p>
	Scheinkman	<p>Written correspondence: No written correspondence may be sent to the Court without prior permission. Written correspondence sent by letter, fax or any other means, without permission will not be read and will be discarded.</p>

Rule 4 (b). Papers submitted in digital format. In cases not pending in the court's Filing by Electronic Means System, the court may permit counsel to communicate with the court and each other by e-mail. In the court's discretion, counsel may be requested to submit memoranda of law by e-mail or on a computer disk along with an original and courtesy copy.

District / County	Justice	Part Specific Rule
Queens		
	Grays	Any party annexing a deposition transcript in excess of one hundred (100) pages as an exhibit to a motion, shall submit such transcript on a disc, in lieu of paper, with the motion.

Rule 5. (This rule shall apply only in the First and Second Judicial Departments) Information on Cases. Information on future court appearances can be found at the court system's future appearance site (www.nycourts.gov/ecourts). Decisions can be found on the Commercial Division home page of the Unified Court System's internet website: www.courts.state.ny.us/comdiv or in the New York Law Journal. The clerk of the part can also provide information about scheduling in the part (trials, conferences, and arguments on motions). Where circumstances require exceptional notice, it will be furnished directly by chambers.

District / County	Justice	Part Specific Rule
Nassau		
	DeStefano	Counsel are requested to provide the court with self-addressed, stamped envelopes with the submitted papers in order to facilitate delivery of the court's decision
New York		
	Bransten	Neither Justice Bransten nor any of her court attorneys will speak to any litigant ex parte.
	Bransten	All inquiries regarding appearances must be directed to the Part 3 Clerk, Ms. Regina Sgro, who can be reached at (646) 386-3287 between 9:30 and 12:45 p.m. and between 2:15 and 4:30 p.m. The only exception is for calls regarding adjournments of appearances.
	Bransten	Correspondence to the court must be e-filed, sent in hard copy to the Part 3 courtroom, Room 442, and sent to all parties. Letters, without exhibits, may also be faxed to the court's chambers, in addition to being e-filed. The Court's fax number is 212-374-1475.
	Friedman	Conferences will be held on Tuesday and Thursday afternoons, and as otherwise scheduled by the Court. Parties wishing to schedule an in-court or telephone conference should do so by conference call, with all appearing parties, to the Clerk of Part 60. See also Communicating with the Court/Telephone Calls, section 10 below.
	Friedman	Letters: Letters are generally discouraged and shall not be filed without prior authorization of the Court. Parties should not expect the Court to act on unauthorized letters. Without limiting the foregoing, the parties are authorized to submit the following letters: (1) A joint letter outlining discovery issues to be resolved at a discovery conference previously scheduled by the Court. Such a letter must be submitted at least two (2) business days in advance of the conference. (2) Letters authorized by Commercial Division Rule 2 (notifying the Court of settlement or disposition of an action) and letters notifying the Court, in advance of an oral argument date, of the disposition or other resolution of a motion. However, where possible, a stipulation reflecting the disposition should be submitted in lieu of a letter. (3) Letters requesting ADR. See Mediation, section 11 below. (4) Letters authorized by Commercial Division Rule 18, citing a relevant postsubmission court decision. Such letters will not be considered by the Court if they argue the substance of the cited authority, and should be limited to the citation only. The Court will notify the parties if it requires any further briefing on the cited authority. (5) A joint pre-motion notice letter, pursuant to Commercial Division Rule 24, outlining the issue in dispute. (6) Letters may be submitted when otherwise authorized in advance by the Court. Requests for authorization may be made by conference call, with all appearing parties, to Chambers.
	Friedman	Telephone Calls: The parties are requested, if possible, to make telephone calls to Chambers only after 4 p.m. The Court will not engage in ex parte communications with any litigant. All communications with Chambers must be made by conference call with all appearing parties, except that a litigant wishing to schedule a conference call with Chambers may telephone to obtain a time for a conference call.
	Kornreich	All questions about scheduling appearances or adjournments should be addressed to the Part Clerk, Celia Rodriguez, at (646) 386-3362. No adjournments will be granted over the phone unless all parties are on the line.
	Kornreich	Litigants may call Chambers at (646) 386-3363, between 4 pm and 6 pm, to schedule a telephone conference with one of the law clerks. Part 54 holds unscheduled telephone conferences every day after 4 pm. If the parties would like to speak by telephone with one of the law clerks, at a scheduled conference call or otherwise, they should first get ALL parties on the phone before placing the call. Please note: no attorney in Justice Kornreich's chambers will communicate with a litigant ex parte, nor will they assist parties in the practice of law, such as by advising how to interpret a rule, law or decision.
	Kornreich	No party shall send a letter or facsimile to chambers unless instructed to do so by the court. All letters must be e-filed before they are submitted and the electronic filing confirmation page must be submitted with the letter.

District / County	Justice	Part Specific Rule
	Oing	Counsel and litigants (represented or self-represented) are advised that Justice Oing and his Law Clerks will not engage in ex parte communications.
	Oing	All correspondence to the Court must be on notice to all parties and/or counsel. The Court will not consider any correspondence not in compliance with this directive.
	Oing	Any correspondence related to a motion shall indicate the motion sequence no.
	Oing	All inquires concerning appearances, adjournments, and case status shall be directed to the Part Clerk.
	Oing	A copy of a decision can be obtained from www.nycourts.gov/supctmanh under "Case Information", www.nycourts.gov under E-courts, or from the County Clerk. Please do not call the Part Clerk or Chambers.
	Ramos	<p>Requests for Adjournment: Absent extraordinary circumstances, no motion scheduled for oral argument in Part 53 will be adjourned unless the request for adjournment is received by the Part Clerk no later than noon the day prior to the scheduled argument. Otherwise, only one adjournment is allowed per argument on a motion or conference, no matter which side requests it or even if all parties agree.</p> <p>Please DO NOT CALL OR SEND letters/faxes to chambers or the courtroom to request an adjournment.</p> <p>Any and all requests for an adjournment shall be made by E-mail, cc'ed to all parties, to RCE53@courts.state.ny.us</p>
	Ramos	<p>No party shall contact the Part or Chambers to inquire as to whether an order has been signed UNLESS it is an emergency (e.g. the order is time sensitive OR it was submitted more than 45 days prior). In the meantime, parties are directed to check SCROLL, E-Filing, E-Courts and the County Clerk's file for orders. If the order is not there, it has not been signed. Otherwise, if an inquiry must be made, please send an E-mail, cc'ed to all parties, to RCE53@courts.state.ny.us</p> <p>SCROLL and E-Filing can be accessed here: http://iapps.courts.state.ny.us/iscroll/ https://iapps.courts.state.ny.us/nyscef/Login</p>
	Ramos	Hard Copy Documents: All documents in mandatory E-filed cases or Efiled cases in which consent has been given must be filed electronically. Any hard-copy documents in E-filed cases, including correspondence and requests for adjournment, that are sent to the Part or to Chambers MUST be E-filed.
	Ramos	Part 53 conducts telephone conferences everyday between 4 and 5 P.M. Even if you are in the building on another matter, you shall not appear in person in either Chambers or the Part for a scheduled telephone conference. A party to the case must initiate the call with all parties on the line before contacting the court, or provide dial-in information (via fax) at least 24 hours before the scheduled call. A reservation is not necessary. WHEN CONTACTING THE PART OR CHAMBERS, THE PARTIES MUST HAVE THE INDEX NUMBER AVAILABLE.
	Scarpulla	Counsel and litigants (represented or self-represented) are advised that Justice Scarpulla and her Law Clerks will not engage in any ex parte communications.
	Scarpulla	Conference calls are scheduled by the Court as needed. Parties wishing to schedule a conference call with the Court should do so by contacting Chambers between 3pm and 5pm at 646-386-3690 to arrange a mutually convenient time and date. If the parties would like to speak by telephone with one of the law clerks, they should first get ALL parties on the phone before placing the call.
	Sherwood	E-Track Reminder: Notification of developments in cases, including court appearance dates and adjournments is made through the court's case tracking and notification service, e-Track. The court no longer provides notification by regular mail. In order to receive notification, counsel must register for e-Track, preferably at the time of the first e-filing in the case. An opportunity to click a link to the e-Track website appears at the end of each electronic filing. The e-Track address is: https://iapps.courts.state.ny.us/webcivil/etracklogin
	Sherwood	Scheduling. All questions about scheduling and adjournments should be addressed to the Part 49 Clerk, Rosa Medina, at rmedina@nycourts.gov , or (646) 386-4033. Court permission is needed to adjourn any scheduled conference. Requests shall be e-filed no later than one (1) full business day in advance of the scheduled appearance, typically by 5:00 p.m. the Friday prior to the Tuesday conference day. Requests submitted after the deadline will be denied absent a showing of good cause.

District / County	Justice	Part Specific Rule
	Sherwood	Communicating with the Court. Litigants may communicate with the court by mail, email, or by telephone as follows: A. Written correspondence. Hard copies of letters to Justice Sherwood may be mailed or hand-delivered to Part 49, Room 252, 60 Centre Street, New York, New York 10007. Correspondence may not be faxed without prior permission of the Part Clerk. All letters concerning a substantive issue (e.g., letter-briefs, discovery disputes) must also be e-filed. B. Telephone calls. Litigants may call the Part Clerk, (646) 386-4033. C. E-mail - Litigants may e-mail the Part Clerk at rmedina@nycourts.gov.
	Sherwood	Please note: No attorney in Justice Sherwood's chambers will communicate with a litigant ex parte, nor will chambers staff assist litigants in the practice of law, including advising as to how to interpret any rule or law. If the parties wish to communicate with Justice Sherwood or one of his law clerks by telephone, they should first get all parties on the phone and then call the court. Questions pertaining to motion practice should be addressed to the Commercial Division Support Office, at (646) 386-3020.
Queens		
	Grays	Any attorney or pro se litigant desiring a copy of the Court's decision must submit a stamped, self-addressed envelope with the motion papers or at the conclusion of trial.
	Hart	All inquiries as to the case or calendar status shall be made to the appropriate clerk's office. The only inquiries to be made directly to the Chambers or the Part should be those involving the immediate exercise of judicial discretion.
	Kitzes	Do not call the Part or Chambers for adjournments as NO ADJOURNMENTS WILL BE GRANTED ON THE TELEPHONE. The Court will not consider papers sent to Chambers or to the Part after submission.
	Kitzes	All inquiries as to case or calendar status are to be made to the appropriate Clerk's office.
	Ritholtz	Any inquiry pertaining to preliminary conferences shall be made to the Preliminary Conference Part at (718) 298-1046.
	Ritholtz	ALL MOTIONS shall be made returnable in the Centralized Motion Part (CMP). Parties are required to comply with the CMP rules. All inquires regarding such motions shall be made to the Centralized Motion Part Office at (718) 298-1728.
Suffolk		
	Emerson	Neither Justice Emerson nor any of the court attorneys assigned to the part will speak to any litigant or counsel ex parte. Upon telephoning chambers, counsel must get all parties on the phone before placing the call to the Court. No party shall send a letter to chambers without first contacting the adversary, trying to resolve the problem and telephoning chambers. With permission of the Court, a party may send correspondence to the Court via fax to (631) 852-3732 or U.S. mail or overnight delivery, but not by more than one method of delivery.
	Pines	Counsel may call Chambers to arrange for a telephone conference with the Court with either Michael Kruzynski, Principal Law Clerk or Renee Osborne, Court Attorney Referee.
	Pines	Counsel may not contact Chambers on any substantive matter without all opposing counsel on the telephone, except for the purpose of facilitating a conference call.
Westchester		
	Jamieson	All questions about scheduling appearances or adjournments should be addressed to the Part Clerk, Lois Kouroumousis, at (914) 824-5345. Do not contact Chambers regarding such issues. Requests for adjournment of matters should be made by not later than 2:00 p.m. on the day before. Requests made after that will likely not be granted. All requests for adjournments must be made with the request of all opposing counsel and, if approved by the Court, confirmed by a signed Stipulation of all counsel. If consent cannot be obtained, then the requesting counsel must arrange for a conference call with the Court and, if one cannot be timely arranged, then the application must be made at the call of the calendar.
	Jamieson	Counsel may call the Part Clerk with respect to the scheduling of appearances and with respect to adjournment applications.
	Jamieson	Counsel may call Chambers and/or the Part Clerk to arrange for a telephone conference with the Court or with the Principal Court Attorney.
	Jamieson	Counsel may not contact Chambers without all opposing counsel on the phone, except for the purpose of facilitating a conference call.

Rule 7. Preliminary Conference; Request. A preliminary conference shall be held within 45 days of assignment of the case to a Commercial Division justice, or as soon thereafter as is practicable. Except for good cause shown, no preliminary conference shall be adjourned more than once or for more than 30 days. If a Request for Judicial Intervention is accompanied by a dispositive motion, the preliminary conference shall take place within 30 days following the decision of such motion (if not rendered moot) or at such earlier date as scheduled by the justice presiding. Notice of the preliminary conference date will be sent by the court at least five days prior thereto.

District / County	Justice	Part Specific Rule
7th		
	Rosenbaum	Preliminary conferences are scheduled upon receipt of the filed RJI from the County Clerk. At the conference, a scheduling order will be issued. At the preliminary conference, the Court will indicate whether or not a stay of disclosure will be employed pursuant to CPLR § 3214(b). Pretrial conferences will be set forth in the scheduling order or scheduled upon receipt of a calendar note of issue. Counsel must bring their calendars, including trial availability, to all conferences.
8th		
	Walker	Conferences shall be automatically scheduled upon Chambers' receipt of a filed RJI or calendar note of issue, and the Court's verification that the case meets the jurisdictional requirements for Commercial Division assignment. Conferences may also be scheduled upon request. Prior to a preliminary conference, counsel shall provide Chambers with copies of all pleadings and a one (1) paragraph summary of the case. At the conference, a scheduling order shall be issued after consultation with counsel, which shall include jury selection and trial dates. Counsel shall bring calendars, including trial availability, to all conferences. Conferences shall take place with the Law Clerks (or the Court, as matters dictate).
	Walker	Matters shall not be scheduled until Chambers receives a paid, stamped RJI and/or a special term Note of Issue showing the original papers were filed with the office of the clerk of the county in which the matter is commenced/pending, and the Commercial Division RJI Addendum is reviewed by Chambers to verify that the case meets the requirements for Commercial Division assignment as set forth in 22 NYCRR §202.70 (a) and (b).
Kings		
	All Justices	Any party requesting a preliminary conference must annex a copy of the pleadings to the RJI when the request is filed with the court.
	All Justices	Preliminary Conferences. All preliminary and compliance conferences will be held on Wednesdays at 9:45 a.m. unless otherwise directed by the Court. The conference calendar will be called after the first call of the motion calendar.
	All Justices	Online Preliminary Conference Orders. Preliminary Conference Orders may be entered on consent of the Court and all parties by printing and filling out the Preliminary Conference Form posted on the Kings County Commercial Division website. Following a conference call with the Court, the PC Order, executed by all parties, must be faxed to Chambers two days prior to the date scheduled for the PC conference. Failure to timely comply with the procedural constraints herein will require an appearance on the scheduled date.
	All Justices	Adjournment of Preliminary Conference. Adjournment of a preliminary conference may be requested by submission of a written stipulation at least two business days prior to the scheduled date. Stipulations must be accompanied by a cover letter explaining the reason for the adjournment. The adjournment of a conference is at the discretion of the Court and may be permitted for good cause shown. No preliminary conference shall be adjourned more than once or for more than 30 days. Fax numbers for all counsel must be provided in the cover letter or the stipulation. Any requests for further adjournments will be entertained only under the most compelling circumstances and must be made via a telephone conference call with the Court in which all parties participate.
	Solomon	Preliminary conferences and compliance conferences in Commercial Part 10 will be called immediately following the first and second call of the motion calendar and conferenced, as time permits, while motions are being heard.
Nassau		
	DeStefano	At the preliminary conference, attorney or parties, if not represented, must obtain and review the rules of this part. You are responsible to become familiar with the part rules and to comply with them.
New York		
	Friedman	A preliminary conference may be adjourned once on consent for no more than thirty (30) days to a Tuesday or Thursday afternoon. A stipulation agreeing to the adjournment must be e-filed, and a working copy of the stipulation must be filed with the Clerk of Part 60, in advance of the date that is being adjourned.

District / County	Justice	Part Specific Rule
	Oing	For non-motions and other proceedings, the Court may direct counsel to order the transcript.
	Oing	The Court will schedule conferences. All cases are heard in the order in which they are ready. All counsel must be present for the case to be deemed ready. Do not check in with the Part Clerk until all sides are present.
	Scarpulla	Preliminary, Compliance, and Status Conferences: Wednesdays at 2:15 p.m.
	Sherwood	Preliminary and Compliance Conferences. Please consult Commercial Division Rules 7-10. Scheduled conferences are held on Tuesdays at 9:30 AM. If the parties agree, they may appear at 10:30 AM, provided that a request to appear at the alternate time is communicated to the Part Clerk no later than 24 hours prior to your appearance.
Onondaga		
	Karalunas	Requests for a Court conference must be made in writing on notice unless time is of the essence. The requesting party must outline the proposed issue(s) in the written submission. Where time is of the essence (e.g., an issue that arises during an ongoing deposition), a request for a conference may be made by telephone.
Queens		
	Grays	A preliminary conference shall be scheduled (1) automatically by the Court within 45 days after filing a Request for Judicial Intervention~ pursuant to 22 NYCRR §202.12(b) ; or (2) upon filing a written Request for a Preliminary Conference with the Clerk's Office, Room 140, in compliance with 22 NYCRR §202.12(a); or (3) an appropriate notice is filed in malpractice or certiorari cases pursuant to 22 NYCRR §202.56 and §202.60. All preliminary conferences will be held on Monday at 11 :30 a.m. at the Preliminary Conference Part, Room Number 3002, of the courthouse, and they are presided over by the court appointed referee, unless otherwise directed by the Court. Failure to appear at the scheduled preliminary conference may result in discovery being ordered ex-parte or any other appropriate sanction including preclusion or dismissal. Any inquiry pertaining to preliminary conferences shall be made to the Preliminary Conference Part at (718) 298~1046.
	Hart	Mandatory appearance is required for counsel for all parties and pro se litigants on all dates, unless otherwise directed by Justice Hart or his designee. Adjournments may be sought only by application to Justice Hart in open court and not by consent of counsel. Service representatives and non-attorneys will not be permitted to make applications. A preliminary conference order may issue in full or partial disposition of the motion and/or cross motion.
	Hart	A preliminary conference will only take place (1) after a written Request for a Preliminary Conference accompanied by an affirmation of good faith is filed with the clerk's office (Room 140) in compliance with Uniform Rule 202.56, 202.16 and 202.60), or upon a specific directive of Justice Hart.
	Hart	For all Commercial Division cases, compliance conferences shall be held on the date scheduled in the Preliminary Conference Stipulation and Order. Conferences shall be held before Justice Hart in Courtroom 41. The call of the calendar will be held at 9:30 AM.
	Kitzes	A preliminary conference shall be scheduled (1) automatically by the court within 45 days after filing a request for Judicial Intervention, pursuant to 22 NYCRR 202.12(b), or (2) upon filing a written Request for a Preliminary Conference with the Clerk's Office (Room 140) in compliance with 22 NYCRR 202.12(a) or an appropriate notice is filed in malpractice or certiorari cases pursuant to 22 NYCRR 202.56 and 202.60.
	Kitzes	All Preliminary Conferences will be held on THURSDAYS at 9:30 a.m at the Preliminary Conference Part, Room 307 of the Courthouse, and they are presided over by the court-appointed referee, unless otherwise directed by the court. Failure to appear at the scheduled preliminary conference may result in discovery being ordered ex-parte or any other appropriate sanction including preclusion or dismissal ordered. Contact the Preliminary Conference Part at (718) 298-1046, not chambers.
	Kitzes	For all Commercial Division cases, Compliance Conferences shall be held on the date scheduled in the Preliminary Conference Stipulation and Order. Conferences shall be held before Justice Kitzes in Courtroom 116.

District / County	Justice	Part Specific Rule
	Ritholtz	<p>A Preliminary Conference shall be held within 45 days of the assignment of the case to this Part (22NYCRR202.70, Rule 7).</p> <p>All Preliminary Conferences will be held on Tuesday, at 11:30 a.m. at the Preliminary Conference Part, Room Number 3002, of the courthouse, and they are presided over by the court-appointed referee, unless otherwise directed by the Court. Failure to appear at the scheduled preliminary conference may result in discovery being ordered ex-parte, or any other appropriate sanction, including preclusion, dismissal, or striking of an answer (22NYCRR202.70, Rule 12).</p>
	Ritholtz	<p>Compliance Conferences shall be held on the date scheduled in the Preliminary Conference Stipulation and Order. Conferences shall be held before the Honorable Martin E. Ritholtz in courtroom 313 on Friday, at 9:30 a.m. The Purpose of the Compliance Conference is to monitor the progress of discovery, explore potential settlement and set a deadline for the filing of a Note of Issue (22NYCRR202.19 (b)(3)). Where appropriate, the order will contain; (1) directions for submission to the alternative dispute resolution program; (2) a schedule for dispositive motions and ; (3) resolution of the following electronic discovery issues, inter alia, (i) identification of potentially relevant types or categories of electronically stored information ("ESI") and the relevant time frame; (ii) disclosure of the applications and manner in which the ESI is maintained; (iii) identification of potentially relevant sources of ESI and whether the ESI is reasonably accessible; (iv) implementation of a preservation plan for potentially relevant ESI; (v) identification of the individual(s) responsible for preservation of ESI; (vi) the scope, extent, order, and form of production; (vii) identification, redaction, labeling, and logging of privileged or confidential ESI; (viii) claw-back or other provisions for privileged or protected ESI; (ix) the the scope or method for searching and reviewing ESI; (x) the anticipated cost and burden of data recovery and proposed initial allocation of such costs; and (xi) designation of experts (NYCRR202.70, Rule 8(b) and Rule 11(a)).</p>

Rule 8 (a). Consultation prior to Preliminary and Compliance Conferences. Counsel for all parties shall consult prior to a preliminary or compliance conference about (i) resolution of the case, in whole or in part; (ii) discovery and any other issues to be discussed at the conference, including the timing and scope of expert disclosure under Rule 13(c); (iii) the use of alternate dispute resolution to resolve all or some issues in the litigation; and (iv) any voluntary and informal exchange of information that the parties agree would help aid early settlement of the case. Counsel shall make a good faith effort to reach agreement on these matters in advance of the conference.

District / County	Justice	Part Specific Rule
8th		
	Walker	Conferences shall be automatically scheduled upon Chambers' receipt of a filed RJL or calendar note of issue, and the Court's verification that the case meets the jurisdictional requirements for Commercial Division assignment. Conferences may also be scheduled upon request. Prior to a preliminary conference, counsel shall provide Chambers with copies of all pleadings and a one (1) paragraph summary of the case. At the conference, a scheduling order shall be issued after consultation with counsel, which shall include jury selection and trial dates. Counsel shall bring calendars, including trial availability, to all conferences. Conferences shall take place with the Law Clerks (or the Court, as matters dictate).
Kings		
	All Justices	Prior to appearing for a preliminary conference, counsel should confer with clients so that schedules can be set for discovery.
New York		
	Friedman	Preliminary Conferences: The parties shall make a good faith effort to appear at the preliminary conference with a proposed preliminary conference order. Copies of a proposed form for a preliminary conference order are available in Part 60 and at http://www.nycourts.gov/courts/comdiv/PDFs/PreliminaryConferenceOrderPart60.pdf .
	Friedman	The parties shall confer in advance of the compliance conference, and shall make a good faith effort to appear at the conference with a proposed compliance conference order.
	Kornreich	All parties must confer at least 2 weeks before the preliminary conference, at which time they must jointly prepare (1) a brief status letter, no more than 2 pages in length, that includes a summary of the relevant factual background, the causes of action, affirmative defenses and counterclaims; (2) a proposed Preliminary Conference Order in the form available at http://www.nycourts.gov/courts/comdiv/PDFs/PreliminaryConferenceOrderPart54.pdf ; and (3) a stipulation governing how electronic discovery will be conducted.
	Oing	Pending an appearance with the Court, counsel are advised to confer with each other and draft a preliminary or compliance conference order or stipulation providing for all remaining discovery. Discovery disputes will be resolved at the conference. Discovery orders/stipulations must set forth specific dates for all deadlines, including impleaders.
	Ramos	Preliminary Conferences: Counsel are encouraged to review the Addendum to the Preliminary Conference Order, annexed to these Practice Rules, prior to the scheduled PC and meet/confer on the issues raised therein.
	Scarpulla	Counsel and litigants must follow the directions below when appearing for a preliminary, compliance, or status conference. a. First, counsel for all parties must consult prior to a preliminary or compliance conference about: (i) the resolution of the case, (ii) discovery and any other issues to be discussed at the conference, and (iii) the use of alternative dispute resolution to resolve all or some of the issues of the litigation. (Commercial Division Rule 8). b. Second, counsel must fill out the appropriate conference form (preliminary conference order, or compliance stipulation form) upon arriving in the courtroom for the conference. Any disputes will be resolved at the conference. i. On the conference form, please write legibly with a black or blue ball point pen. Indicate the names, addresses, and telephone numbers of all counsel appearing at the conference. Number the pages (e.g., 1 of 3, 2 of 3). At the top of page 1, please indicate whether this is the 1st, 2nd, or 3rd Compliance Conference Order. Use firm cut-off dates such as "on or before December 31, 2013." Do not use "within 45 days," etc. c. Third, counsel must then check-in with the Part Clerk. At check-in, please hand in your conference form to the Part Clerk. The Part Clerk will then call your case when the Court is ready for your conference.
Queens		
	Ritholtz	Pursuant to 22NYCRR202.70, Rule 8(a), all parties shall consult prior to a Preliminary or Compliance Conference about (1) resolution of case; (2) discovery and other issues, including anticipated electronic discovery issues pursuant to 22NYCRR202.70, Rule 8(b), and; (3) the possible use of alternative dispute resolution (22NYCRR202.70, Rule 3; Queens Supreme Court ADR Rules, dated 9/17/13). Counsel shall make a good faith effort to reach an agreement on these matters in advance of the conference.
Westchester		
	Jamieson	Upon receipt of a letter from the Court scheduling a preliminary conference, counsel shall meet in person and shall jointly prepare a brief statement describing the case and the contentions of the parties. In addition, counsel shall jointly complete a proposed Preliminary Conference Order, on the form supplied by the Court (also available on the Court's website). These submissions shall be furnished to the Court not later than 12 p.m. on the day prior to the conference. In the event that the Court does not receive the submissions, the Court will take such action as may be appropriate under the circumstances, including adjournment of the conference, requiring counsel to complete the forms at the conference, or other steps.

Rule 8 (b). Prior to the preliminary conference, counsel shall confer with regard to anticipated electronic discovery issues. Such issues shall be addressed with the court at the preliminary conference and shall include but not be limited to (i) identification of potentially relevant types or categories of electronically stored information ("ESI") and the relevant time frame; (ii) disclosure of the applications and manner in which the ESI is maintained; (iii) identification of potentially relevant sources of ESI and whether the ESI is reasonably accessible; (iv) implementation of a preservation plan for potentially relevant ESI; (v) identification of the individual(s) responsible for preservation of ESI; (vi) the scope, extent, order, and form of production; (vii) identification, redaction, labeling, and logging of privileged or confidential ESI; (viii) claw-back or other provisions for privileged or protected ESI; (ix) the scope or method for searching and reviewing ESI; (x) the anticipated cost and burden of data recovery and proposed initial allocation of such costs; and (xi) designation of experts.

District / County	Justice	Part Specific Rule
New York		
	Kornreich	All parties must confer at least 2 weeks before the preliminary conference, at which time they must jointly prepare (1) a brief status letter, no more than 2 pages in length, that includes a summary of the relevant factual background, the causes of action, affirmative defenses and counterclaims; (2) a proposed Preliminary Conference Order in the form available at http://www.nycourts.gov/courts/comdiv/PDFs/PreliminaryConferenceOrderPart54.pdf ; and (3) a stipulation governing how electronic discovery will be conducted.
	Kornreich	The parties shall comply with Commercial Division Rule 8 regarding electronic disclosure and shall come to the preliminary conference prepared to discuss proposed search terms, relevant time periods, and the names of key personnel whose files they wish to search, so that the court can resolve disputes during the conference.
	Oing	This Part is participating in a pilot program to promote earlier resolution of electronic discovery issues. For cases filed after June 15, 2011, the parties are required, absent an order to the contrary, to partake in the pilot and to complete an Electronic Discovery Order ("EDO") form, following a meet and confer. The EDO form and additional information are available at http://www.nycourts.gov/courts/comdiv/ . The EDO form is available as a fillable document or may be printed and completed by hand.
	Ramos	Electronic Discovery: After service of demands for discovery, and prior to the deadline for written responses and inspection/production of documents, parties shall confer in good faith in order to identify whether documents sought are computer stored data. Parties shall discuss the associated costs of production, the method and scope of the search to be conducted, and attempt to agree to search terms, and/or sampling. The responding party will produce the information sought in some electronic form (i.e. on a disc), unless the parties agree otherwise, shall be accompanied by an index that identifies the document(s) produced in response to each demand, the electronic file where the document has been stored, and an affidavit, where requested. Any issues relating to electronic disclosure will be raised with the Court at the next compliance conference.
Queens		
	Ritholtz	Pursuant to 22NYCRR202.70, Rule 8(a), all parties shall consult prior to a Preliminary or Compliance Conference about (1) resolution of case; (2) discovery and other issues, including anticipated electronic discovery issues pursuant to 22NYCRR202.70, Rule 8(b), and; (3) the possible use of alternative dispute resolution (22NYCRR202.70, Rule 3; Queens Supreme Court ADR Rules, dated 9/17/13). Counsel shall make a good faith effort to reach an agreement on these matters in advance of the conference.
	Ritholtz	Compliance Conferences shall be held on the date scheduled in the Preliminary Conference Stipulation and Order. Conferences shall be held before the Honorable Martin E. Ritholtz in courtroom 313 on Friday, at 9:30 a.m. The Purpose of the Compliance Conference is to monitor the progress of discovery, explore potential settlement and set a deadline for the filing of a Note of Issue (22NYCRR202.19 (b)(3)). Where appropriate, the order will contain; (1) directions for submission to the alternative dispute resolution program; (2) a schedule for dispositive motions and ; (3) resolution of the following electronic discovery issues, inter alia, (i) identification of potentially relevant types or categories of electronically stored information ("ESI") and the relevant time frame; (ii) disclosure of the applications and manner in which the ESI is maintained; (iii) identification of potentially relevant sources of ESI and whether the ESI is reasonably accessible; (iv) implementation of a preservation plan for potentially relevant ESI; (v) identification of the individual(s) responsible for preservation of ESI; (vi) the scope, extent, order, and form of production; (vii) identification, redaction, labeling, and logging of privileged or confidential ESI; (viii) claw-back or other provisions for privileged or protected ESI; (ix) the the scope or method for searching and reviewing ESI; (x) the anticipated cost and burden of data recovery and proposed initial allocation of such costs; and (xi) designation of experts (NYCRR202.70, Rule 8(b) and Rule 11(a)).

Rule 9. Accelerated Adjudication Actions.

(a) This rule is applicable to all actions, except to class actions brought under Article 9 of the CPLR, in which the court by written consent of the parties is authorized to apply the accelerated adjudication procedures of the Commercial Division of the Supreme Court. One way for parties to express their consent to this accelerated adjudication process is by using specific language in a contract, such as: "Subject to the requirements for a case to be heard in the Commercial Division, the parties agree to submit to the exclusive jurisdiction of the Commercial Division, New York State Supreme Court, and to the application of the Court's accelerated procedures, in connection with any dispute, claim or controversy arising out of or relating to this agreement, or the breach, termination, enforcement or validity thereof."

(b) In any matter proceeding through the accelerated process, all pre-trial proceedings, including all discovery, pre-trial motions and mandatory mediation, shall be completed and the parties shall be ready for trial within nine (9) months from the date of filing of a Request of Judicial Intervention (RJI).

(c) In any accelerated action, the court shall deem the parties to have irrevocably waived:

- (1) any objections based on lack of personal jurisdiction or the doctrine of forum non conveniens;
- (2) the right to trial by jury;
- (3) the right to recover punitive or exemplary damages;
- (4) the right to any interlocutory appeal; and
- (5) the right to discovery, except to such discovery as the parties might otherwise agree or as follows:

- (i) There shall be no more than seven (7) interrogatories and five (5) requests to admit;
- (ii) Absent a showing of good cause, there shall be no more than seven (7) discovery depositions per side with no deposition to exceed seven (7) hours in length. Such depositions can be done either in person at the location of the deponent, a party or their counsel or in real time by any electronic video device; and
- (iii) Documents requested by the parties shall be limited to those relevant to a claim or defense in the action and shall be restricted in terms of time frame, subject matter and persons or entities to which the requests pertain.

(d) In any accelerated action, electronic discovery shall proceed as follows unless the parties agree otherwise:

- (i) the production of electronic documents shall normally be made in a searchable format that is usable by the party receiving the e-documents;
- (ii) the description of custodians from whom electronic documents may be collected shall be narrowly tailored to include only those individuals whose electronic documents may reasonably be expected to contain evidence that is material to the dispute; and
- (iii) where the costs and burdens of e-discovery are disproportionate to the nature of the dispute or to the amount in controversy, or to the relevance of the materials requested, the court will either deny such requests or order disclosure on condition that the requesting party advance the reasonable cost of production to the other side, subject to the allocation of costs in the final judgment.

District / County	Justice	Part Specific Rule

Rule 10. Submission of Information. At the preliminary conference, counsel shall be prepared to furnish the court with the following: (i) a complete caption, including the index number; (ii) the name, address, telephone number, e-mail address and fax number of all counsel; (iii) the dates the action was commenced and issue joined; (iv) a statement as to what motions, if any, are anticipated; and (v) copies of any decisions previously rendered in the case.

District / County	Justice	Part Specific Rule
8th		
	Walker	<p>Conferences shall be automatically scheduled upon Chambers' receipt of a filed RJI or calendar note of issue, and the Court's verification that the case meets the jurisdictional requirements for Commercial Division assignment. Conferences may also be scheduled upon request. Prior to a preliminary conference, counsel shall provide Chambers with copies of all pleadings and a one (1) paragraph summary of the case. At the conference, a scheduling order shall be issued after consultation with counsel, which shall include jury selection and trial dates. Counsel shall bring calendars, including trial availability, to all conferences. Conferences shall take place with the Law Clerks (or the Court, as matters dictate).</p>
Westchester		
	Jamieson	<p>Upon receipt of a letter from the Court scheduling a preliminary conference, counsel shall meet in person and shall jointly prepare a brief statement describing the case and the contentions of the parties. In addition, counsel shall jointly complete a proposed Preliminary Conference Order, on the form supplied by the Court (also available on the Court's website).</p> <p>These submissions shall be furnished to the Court not later than 12 p.m. on the day prior to the conference. In the event that the Court does not receive the submissions, the Court will take such action as may be appropriate under the circumstances, including adjournment of the conference, requiring counsel to complete the forms at the conference, or other steps.</p>

Rule 11 (a). Discovery. The preliminary conference will result in the issuance by the court of a preliminary conference order. Where appropriate, the order will contain specific provisions for means of early disposition of the case, such as (i) directions for submission to the alternative dispute resolution program; (ii) a schedule of limited-issue discovery in aid of early dispositive motions or settlement; and/or (iii) a schedule for dispositive motions before disclosure or after limited-issue disclosure.

District / County	Justice	Part Specific Rule
7th		
	Rosenbaum	Preliminary conferences are scheduled upon receipt of the filed RJI from the County Clerk. At the conference, a scheduling order will be issued. At the preliminary conference, the Court will indicate whether or not a stay of disclosure will be employed pursuant to CPLR § 3214(b). Pretrial conferences will be set forth in the scheduling order or scheduled upon receipt of a calendar note of issue. Counsel must bring their calendars, including trial availability, to all conferences.
Queens		
	Ritholtz	Compliance Conferences shall be held on the date scheduled in the Preliminary Conference Stipulation and Order. Conferences shall be held before the Honorable Martin E. Ritholtz in courtroom 313 on Friday, at 9:30 a.m. The Purpose of the Compliance Conference is to monitor the progress of discovery, explore potential settlement and set a deadline for the filing of a Note of Issue (22NYCRR202.19 (b)(3)). Where appropriate, the order will contain; (1) directions for submission to the alternative dispute resolution program; (2) a schedule for dispositive motions and ; (3) resolution of the following electronic discovery issues, inter alia, (i) identification of potentially relevant types or categories of electronically stored information (“ESI”) and the relevant time frame; (ii) disclosure of the applications and manner in which the ESI is maintained; (iii) identification of potentially relevant sources of ESI and whether the ESI is reasonably accessible; (iv) implementation of a preservation plan for potentially relevant ESI; (v) identification of the individual(s) responsible for preservation of ESI; (vi) the scope, extent, order, and form of production; (vii) identification, redaction, labeling, and logging of privileged or confidential ESI; (viii) claw-back or other provisions for privileged or protected ESI; (ix) the scope or method for searching and reviewing ESI; (x) the anticipated cost and burden of data recovery and proposed initial allocation of such costs; and (xi) designation of experts (NYCRR202.70, Rule 8(b) and Rule 11(a)).

Rule 11 (b). Discovery. The order will also contain a comprehensive disclosure schedule, including dates for the service of third-party pleadings, discovery, motion practice, a compliance conference, if needed, a date for filing the note of issue, a date for a pre-trial conference and a trial date.

District / County	Justice	Part Specific Rule
Nassau		
	DeStefano	Discovery deadlines, Certification Deadlines and Note of Issue deadlines, will be enforced. Deadlines may not be extended absent prior approval by the court.

Rule 11 (c). Discovery. The preliminary conference order may provide for such limitations of interrogatories and other discovery as may be necessary to the circumstances of the case.

District / County	Justice	Part Specific Rule

Rule 11 (d). Discovery. The court will determine, upon application of counsel, whether discovery will be stayed, pursuant to CPLR 3214(b), pending the determination of any dispositive motion.

District / County	Justice	Part Specific Rule
7th		
	Rosenbaum	Preliminary conferences are scheduled upon receipt of the filed RJI from the County Clerk. At the conference, a scheduling order will be issued. At the preliminary conference, the Court will indicate whether or not a stay of disclosure will be employed pursuant to CPLR § 3214(b). Pretrial conferences will be set forth in the scheduling order or scheduled upon receipt of a calendar note of issue. Counsel must bring their calendars, including trial availability, to all conferences.
Kings		
	All Justices	Upon the argument of a dispositive motion the Court will determine whether discovery shall proceed pending decision.
New York		
	Friedman	Note re: Commercial Division Rule 11(d): Discovery shall not be stayed pending determination of a dispositive motion or mediation, unless otherwise ordered by the Court on application of a party.
	Kornreich	Discovery is not stayed by a dispositive motion or a mediation, unless otherwise directed by the court.
	Ramos	To clarify Rule 11(d) of the Commercial Division Rules, the presumption is that discovery is not stayed by the filing of a dispositive motion unless otherwise directed by the Court.
	Sherwood	Unless otherwise directed by the court, discovery is not stayed by a dispositive motion.
	Sherwood	Discovery is not stayed by a dispositive motion unless the court directs otherwise.
Suffolk		
	Emerson	With respect to Rule 11(d), of the Commercial Division Rules, the presumption is that discovery is NOT stayed by the filing of a dispositive motion unless otherwise directed.
	Pines	The Court generally does not stay disclosure pending determination of motions to dismiss or motions for summary judgment (made prior to completion of discovery). All dispositive motions shall be made no more than 60 business days after the filing of the Note of Issue
Westchester		
	Jamieson	The Court generally does not stay disclosure pending determination of motions to dismiss or motions for summary judgment (made prior to completion of discovery).
	Scheinkman	The Court generally does not stay disclosure pending determination of motions to dismiss or motions for summary judgment (made prior to completion of discovery).

Rule 11-a. Interrogatories.

(a) Interrogatories are limited to 25 in number, including subparts, unless another limit is specified in the preliminary conference order. This limit applies to consolidated actions as well.

(b) Unless otherwise ordered by the court, interrogatories are limited to the following topics: name of witnesses with knowledge of information material and necessary to the subject matter of the action, computation of each category of damage alleged, and the existence, custodian, location and general description of material and necessary documents, including pertinent insurance agreements, and other physical evidence.

(c) During discovery, interrogatories other than those seeking information described in paragraph (b) above may only be served (1) if the parties consent, or (2) if ordered by the court for good cause shown.

(d) At the conclusion of other discovery, and at least 30 days prior to the discovery cut-off date, interrogatories seeking the claims and contentions of the opposing party may be served unless the Court has ordered otherwise.

District / County	Justice	Part Specific Rule
7th		
	Rosenbaum	Interrogatories are limited to 25.
New York		
	Friedman	Note re: Commercial Division Rule 11: The number of interrogatories, including subparts, shall be limited to 25, unless another limit is specified in the preliminary conference order. See Statement of the Administrative Judge Regarding Implementation of Certain Rules of the Commercial Division (June 8, 2007) available at http://www.nycourts.gov/courts/comdiv/PDFs/Rules_6-8-07.pdf . This limitation also applies to consolidated actions.
	Kornreich	Interrogatories are limited to 25, including subparts, unless another limit is specified in the PC order. This limit applies to consolidated actions as well.
	Oing	Rule 11: The number of interrogatories, including subparts, shall be limited to 25, unless the Court permits otherwise.
	Ramos	Interrogatories are limited to 25 in number unless another limit is specified in the PC order. This limit applies to consolidated actions as well. Unless otherwise ordered by the court, interrogatories are limited to the following topics: (1) seeking names of witnesses with knowledge of information relevant to the subject matter of the action; (2) the computation of each category of damages alleged; and (3) the existence, custodian, location and general description of relevant documents, including pertinent insurance agreements, and other physical evidence, or information of a similar nature.
	Sherwood	Interrogatories are limited to 25 in number, including subparts, unless another limit is specified in the preliminary conference order. This limit applies to consolidated actions as well. Unless otherwise ordered by the court, interrogatories are limited to the following topics: name of witnesses with knowledge of information material and necessary to the subject matter of the action, computation of each category of damage alleged, and the existence, custodian, location and general description of material and necessary documents, including pertinent insurance agreements, and other physical evidence.
Westchester		
	Jamieson	The number of interrogatories, including subparts, shall be limited to 25, unless another limit is specified in the Preliminary Conference Order or as ordered by the Court.

Rule 11-b. Privilege Logs.

(a) Meet and Confer: General. Parties shall meet and confer at the outset of the case, and from time to time thereafter, to discuss the scope of the privilege review, the amount of information to be set out in the privilege log, the use of categories to reduce document-by-document logging, whether any categories of information may be excluded from the logging requirement, and any other issues pertinent to privilege review, including the entry of an appropriate non-waiver order. To the extent that the collection process and parameters are disclosed to the other parties and those parties do not object, that fact may be relevant to the Court when addressing later discovery disputes.

(b) Categorical Approach or Document-By-Document Review.

(1) The preference in the Commercial Division is for the parties to use categorical designations, where appropriate, to reduce the time and costs associated with preparing privilege logs. The parties are expected to address such considerations in good faith as part of the meet and confer process (see paragraph (a) above) and to agree, where possible, to employ a categorical approach to privilege designations. The parties are encouraged to utilize any reasoned method of organizing the documents that will facilitate an orderly assessment as to the appropriateness of withholding documents in the specified category. For each category of documents that may be established, the producing party shall provide a certification, pursuant to 22 NYCRR § 130-1.1a, setting forth with specificity those facts supporting the privileged or protected status of the information included within the category. The certification shall also describe the steps taken to identify the documents so categorized, including but not limited to whether each document was reviewed or some form of sampling was employed, and if the latter, how the sampling was conducted. The certification shall be signed by the Responsible Attorney, as defined below, or by the party, through an authorized and knowledgeable representative.

(2) In the event the requesting party refuses to permit a categorical approach, and instead insists on a document-by-document listing on the privilege log, then unless the Court deems it appropriate to issue a protective order pursuant to CPLR 3103 based upon the facts and circumstances before it, the requirements set forth in CPLR 3122 shall be followed. In that circumstance, however, the producing party, upon a showing of good cause, may apply to the court for the allocation of costs, including attorneys' fees, incurred with respect to preparing the document-by-document log. Upon good cause shown, the court may allocate the costs to the requesting party.

(3) To the extent that a party insists upon a document-by-document privilege log as contemplated by CPLR 3122, and absent an order to the contrary, each uninterrupted e-mail chain shall constitute a single entry, and the description accompanying the entry shall include the following: (i) an indication that the e-mails represent an uninterrupted dialogue; (ii) the beginning and ending dates and times (as noted on the e-mails) of the dialogue; (iii) the number of e-mails within the dialogue; and (iv) the names of all authors and recipients – together with sufficient identifying information about each person (e.g., name of employer, job title, role in the case) to allow for a considered assessment of privilege issues.

(c) Special Master. In complex matters likely to raise significant issues regarding privileged and protected material, parties are encouraged to hire a Special Master to help the parties efficiently generate privilege logs, with costs to be shared.

(d) Responsible Attorney. The attorney having supervisory responsibility over the privilege review shall be actively involved in establishing and monitoring the procedures used to collect and review documents to determine that reasonable, good faith efforts are undertaken to ensure that responsive, non-privileged documents are timely produced.

(e) Court Order. Agreements and protocols agreed upon by parties should be memorialized in a court order.

District / County	Justice	Part Specific Rule
New York		
	Kornreich	If a party objects to a disclosure demand on the ground of privilege, with its response to the demand, the party asserting the privilege shall serve on all other parties a privilege log of the responsive documents that are not being disclosed and a copy of the redacted documents, bates stamped. The privilege log shall identify all redacted and completely withheld documents by bates-stamp numbers, dates, authors and recipients, the general subject matter of the document if it will not waive the privilege, and shall state the privileges being asserted. Failure to serve a privilege log and redacted documents with the party's response to a disclosure demand will, absent good cause, be deemed a waiver of the party's objection on the ground of privilege. Following service of a privilege log, the parties shall confer in an attempt to reach agreement on whether the asserted privileges apply. If agreement cannot be reached, the parties shall call the court Clerk to schedule a conference.
	Sherwood	Where a party objects to disclosure on the ground of privilege, its response shall include a log of the documents being withheld and a copy of redacted documents, bates-stamped. The privilege log shall identify all withheld and redacted documents by bates-stamp number; list date, author, and recipients (except where same is disclosed on redacted documents); and state the privilege(s) being asserted. Following service of the privilege log, counsel shall confer and if unable to reach an accommodation, the aggrieved party may contact the court to arrange a conference.

Rule 11-c. Discovery of Electronically Stored Information from Nonparties. Parties and nonparties should adhere to the Commercial Division's Guidelines for Discovery of Electronically Stored Information ("ESI") from nonparties, which can be found in Appendix A to these Rules of the Commercial Division.

District / County	Justice	Part Specific Rule

Rule 12. Non-Appearance at Conference. The failure of counsel to appear for a conference may result in a sanction authorized by section 130.2.1 of the Rules of the Chief Administrator or section 202.27, including dismissal, the striking of an answer, an inquest or direction for judgment, or other appropriate sanction.

District / County	Justice	Part Specific Rule
New York		
	Kornreich	Attorneys must sign up for eTrack and regularly check eCourts for scheduled appearances. Defaults in appearing will not be excused for lack of notice from eTrack or an omission by the New York Law Journal.
Queens		
	Grays	All preliminary conferences will be held on Monday at 11 :30 a.m. at the Preliminary Conference Part, Room Number 3002, of the courthouse, and they are presided over by the courtappointed referee, unless otherwise directed by the Court. Failure to appear at the scheduled preliminary conference may result in discovery being ordered ex-parte or any other appropriate sanction including preclusion or dismissal. Any inquiry pertaining to preliminary conferences shall be made to the Preliminary Conference Part at (718) 298-1046.
	Kitzes	All Preliminary Conferences will be held on THURSDAYS at 9:30 a.m at the Preliminary Conference Part, Room 307 of the Courthouse, and they are presided over by the court-appointed referee, unless otherwise directed by the court. Failure to appear at the scheduled preliminary conference may result in discovery being ordered ex-parte or any other appropriate sanction including preclusion or dismissal ordered. Contact the Preliminary Conference Part at (718) 298-1046, not chambers.
	Ritholtz	Pursuant to 22NYCRR202.70, Rule 1(a), counsel who appear in the Commercial Division must be fully familiar with the case in regard to which they appear and fully authorized to enter into agreements, both substantive and procedural, on behalf of their clients. Counsel should also be prepared to discuss any motions that have been submitted and are outstanding. Failure to comply with this rule may be regarded as a default and dealt with appropriately (see 22NYCRR202.70, Rule 12).
	Ritholtz	All Preliminary Conferences will be held on Tuesday, at 11:30 a.m. at the Preliminary Conference Part, Room Number 3002, of the courthouse, and they are presided over by the court-appointed referee, unless otherwise directed by the Court. Failure to appear at the scheduled preliminary conference may result in discovery being ordered ex-parte, or any other appropriate sanction, including preclusion, dismissal, or striking of an answer (22NYCRR202.70, Rule 12).

Rule 13 (a). Adherence to Discovery Schedule, Expert Disclosure. Parties shall strictly comply with discovery obligations by the dates set forth in all case scheduling orders. Such deadlines, however, may be modified upon the consent of all parties, provided that all discovery shall be completed by the discovery cutoff date set forth in the preliminary conference order. Applications for extension of a discovery deadline shall be made as soon as practicable and prior to the expiration of such deadline. Non-compliance with such an order may result in the imposition of an appropriate sanction against that party pursuant to CPLR 3126.

District / County	Justice	Part Specific Rule
7th		
	Rosenbaum	When discovery deadlines are ordered by the Court, service of discovery requests, responses or motions shall be made so as to be received no later than 5 p.m. on the date specified.
New York		
	Friedman	Discovery Deadlines - Note re: Commercial Division Rules 13 & 14: Strict compliance with Rule 13 is expected. Applications for extension of discovery deadlines shall be made prior to the expiration of such deadlines. Such applications shall be made by conference call, with all appearing parties, to Chambers.
	Kornreich	When discovery deadlines are ordered by the court, service of discovery requests, responses or motions shall be made so as to be received no later than 5pm on the date specified in the order. A request for discovery and inspection will not be deemed responded to unless the requested documents are produced. All objections to documents requests and interrogatories shall be made specifically; general objections will not be honored by the court.
	Ramos	When discovery deadlines are ordered by the Court, service of discovery requests, responses, or motions shall be made in-hand on or before 5pm on the date specified.

Rule 13 (b). Adherence to Discovery Schedule, Expert Disclosure. If a party seeks documents as a condition precedent to a deposition and the documents are not produced by the date fixed, the party seeking disclosure may ask the court to preclude the non-producing party from introducing such demanded documents at trial.

District / County	Justice	Part Specific Rule

Rule 13 (c). Adherence to Discovery Schedule, Expert Disclosure. If any party intends to introduce expert testimony at trial, no later than thirty days prior to the completion of fact discovery, the parties shall confer on a schedule for expert disclosure -- including the identification of experts, exchange of reports, and depositions of testifying experts -- all of which shall be completed no later than four months after the completion of fact discovery. In the event that a party objects to this procedure or timetable, the parties shall request a conference to discuss the objection with the court.

Unless otherwise stipulated or ordered by the court, expert disclosure must be accompanied by a written report, prepared and signed by the witness, if either (1) the witness is retained or specially employed to provide expert testimony in the case, or (2) the witness is a party's employee whose duties regularly involve giving expert testimony. The report must contain:

- (A) a complete statement of all opinions the witness will express and the basis and the reasons for them;
- (B) the data or other information considered by the witness in forming the opinion(s);
- (C) any exhibits that will be used to summarize or support the opinion(s);
- (D) the witness's qualifications, including a list of all publications authored in the previous 10 years;
- (E) a list of all other cases at which the witness testified as an expert at trial or by deposition during the previous four years; and
- (F) a statement of the compensation to be paid to the witness for the study and testimony in the case.

The note of issue and certificate of readiness may not be filed until the completion of expert disclosure. Expert disclosure provided after these dates without good cause will be precluded from use at trial.

District / County	Justice	Part Specific Rule
New York		
	Ramos	Expert Disclosure: No later than thirty days prior to the completion of fact discovery, the parties shall confer on a schedule for expert disclosure, which shall include the identification of experts, the exchange of expert reports, and depositions. In the event that a party withholds consent to this procedure, the parties shall consult with the Court. Unless otherwise stipulated or ordered by the Court, expert disclosure must be accompanied by a written report--prepared and signed by the witness--if the witness is one retained or specially employed to provide expert testimony in the case or one whose duties as the party's employee regularly involve giving expert testimony. The report must contain: <ul style="list-style-type: none"> (1) a complete statement of all opinions the witness will express and the basis and the reasons for them; (2) the data or other information considered by the witness in forming them; (3) any exhibits that will be used to summarize or support them; (4) the witness's qualifications, including a list of all publications authored in the previous 10 years; (5) a list of all other cases in which, during the previous four years, the witness testified as an expert at trial or by deposition; and (6) a statement of the compensation to be paid for the study and testimony in the case.

District / County	Justice	Part Specific Rule
	Sherwood	<p>Expert Disclosure. No later than thirty days prior to the completion of fact discovery, the parties shall confer and attempt to agree on a schedule for expert disclosure, including the identification of experts, exchange of reports, and depositions. In the event that a party withholds consent to this procedure, the parties shall consult with the court. Unless otherwise stipulated or ordered by the court, expert disclosure must be accompanied by a written report - prepared and signed by the witness -- if the witness is one retained or specially employed to provide expert testimony in the case or one whose duties as the party's employee regularly involve giving expert testimony. The report shall contain:</p> <ol style="list-style-type: none"> (1) A complete statement of all opinions the witness will express and the basis for them; (2) The data or other information considered by the witness in forming them; (3) Any exhibits that will be used to summarize or support them; (4) The witness's qualifications, including a list of all publications authored in the previous 10 years; (5) A list of all other cases in which, during the previous four years, the witness testified as an expert at trial or by deposition; and (6) A statement of the compensation to be paid for the study and testimony in the case.

Rule 14. Disclosure Disputes. Counsel must consult with one another in a good faith effort to resolve all disputes about disclosure. See section 202.7. Except as provided in Rule 24 hereof, if counsel are unable to resolve any disclosure dispute in this fashion, the aggrieved party shall contact the court to arrange a conference as soon as practicable to avoid exceeding the discovery cutoff date. Counsel should request a conference by telephone if that would be more convenient and efficient than an appearance in court.

District / County	Justice	Part Specific Rule
7th		
	Rosenbaum	Discovery disputes are to be resolved through a court conference - not through motion practice - unless otherwise directed.
8th		
	Walker	Copies of all submissions for consideration by the Court (other than those relating to Orders to Show Cause - see below), shall be received by Chambers at least three (3) business days prior to the return date, and before 2:00 p.m. Reply submissions if any, must be received by Chambers at least one (1) business day prior to the return date, and before 2:00 p.m., and shall not re-iterate previous submissions. Cross-motions shall be governed by the CPLR, and the Court requires strict compliance with CPLR §2214(b). Except for applications for Orders to Show Cause, the originals of all submissions shall be filed with the office of the clerk of the county in which the matter is commenced/pending. Oral argument is expected on all cases, unless counsel notify Chambers of an agreement to the contrary prior to the return date. Discovery motions shall be accompanied by the affirmation of good faith required by 22 NYCRR § 202.7. Counsel shall refrain from citing case law in affidavits and/or affirmations. Only submissions served in accordance with the provisions of these rules will be considered in connection with any motion or cross-motion.
Kings		
	All Justices	Disclosure Disputes. Parties must comply with Uniform Rules, § 202.70(g), Rule 14, regarding consultation among counsel prior to contacting the Court. If counsel are unable to resolve a dispute, the party seeking Court intervention shall send a letter to the Court, of no more than two pages, upon notice to all parties, describing the problem and the relief requested. Such letter may be answered within eight days by letter of no more than two pages, also on notice to all parties. The party requesting relief shall then contact Chambers to arrange a conference (preferably by telephone) to resolve such dispute. If no effort is made by counsel to schedule such conference, the Court will infer that the matter has been resolved and will take no action. The Court may order that a motion be made but no discovery motion will be entertained without prior compliance with this Rule.
	Solomon	Motions to either seek or enforce discovery may not be made without court approval.
New York		
	Bransten	Discovery disputes are preferred to be resolved through a court conference – not through motion practice – unless otherwise directed. The court conference will most often be an arranged conference call with chambers, where all parties are to be on the line and then place a call to chambers.
	Bransten	For all disputes, the parties shall outline their position in a pre-conference letter to the court. After the submission of letters, the parties are to call chambers to arrange a time for a conference call.
	Bransten	If satisfactory resolution is not achieved through a court conference, then leave will be given for the parties to file the appropriate motion. Failure to abide by this rule may result in a motion being held in abeyance until the court has an opportunity to conference the matter.
	Friedman	See Scheduling Conferences, Adjournments, and Communicating with the Court, sections 3,4, and 10 of these Practices for scheduling and adjournments of conferences and limitations on letters to the Court regarding discovery disputes.
	Kornreich	Any party that wants to resolve a dispute about the sufficiency of a response during a disclosure conference shall bring whatever will be needed to obtain a ruling.

District / County	Justice	Part Specific Rule
	Oing	<p>Rule 14: If, after meeting and conferring in good faith, counsel are unable to resolve a dispute about disclosure, the aggrieved party shall outline the issue in a letter to the Court, on notice to opposing counsel, who will be expected to submit a letter in response. No further correspondence is permitted.</p> <p>In addition to e-filing such correspondence, counsel shall deliver a hard copy of the correspondence to Part 48.</p> <p>Once letters from all parties have been received, the Court will contact counsel to schedule a discovery conference.</p>
	Oing	Discovery motions shall not be made without first complying with this directive, and any such motion may be denied.
	Oing	Discovery motions are strongly discouraged. If a discovery dispute arises after the issuance of a preliminary or compliance conference order, counsel shall telephone Part 48 to schedule a discovery conference with all counsel to resolve the discovery dispute. If the issue cannot be resolved following such conference, counsel may move for appropriate relief.
	Ramos	<p>No party shall send a letter to Chambers pertaining to a discovery or other dispute without first calling the adversary and having a "meet and confer" on the issue. If the parties are unable to resolve the issue, call Chambers for a conference.</p> <p>A party may send correspondence e-mail at RCE53@courts.state.ny.us, fax at 212-401-9057, hand delivery, U.S. mail or overnight delivery to Chambers, but not by more than one method of delivery.</p>
	Sherwood	Disclosure Disputes. Please consult Commercial Division Rules 10-15. If after good faith efforts, counsel are unable to resolve or narrow the issues involving discovery, the aggrieved party shall contact the court by letter or telephone to arrange a conference.
Queens		
	Hart	No motion relating to disclosure or a bill of particulars will be accepted without an affirmation of good faith as regulated by Uniform Rule 202.7.
	Ritzholtz	Counsel must consult with one another in a good faith effort to resolve all disputes about disclosure (NYCRR202.7, 202.70, Rule 14). If counsel are unable to resolve any disclosure disputes in this fashion, the aggrieved party shall contact chambers at (718) 298-1089, to schedule a telephone conference with the Court, in a good faith effort to resolve the dispute.
Suffolk		
	Emerson	Discovery disputes should first be addressed through a court conference prior to the filing of a motion. If the Court is unable to resolve the dispute through a conference, then leave will be given for the parties to file the appropriate motion. The failure to abide by this rule may result in a motion being held in abeyance until the Court has an opportunity to conference the matter.
	Pines	With respect to cases already assigned to this Court at the time that a discovery dispute arises, no motion with respect to the dispute shall be made without a prior conference with the Court, which may be obtained by submission of a letter application, not exceeding one (1) page in length. Counsel must obtain permission from Chambers prior to the submission of such letter application.
	Pines	With respect to cases in which a discovery motion accompanies the Request for Judicial Intervention which leads to the assignment to this Court, no opposition papers shall be served until there has been a prior conference with the Court, which may be obtained by letter application, not exceeding one (1) page in length. The application for a discovery conference may be made by the movant or by the opposing counsel; however, the application must be made within eight (8) days of service of the motion. Counsel must obtain permission from Chambers prior to the submission of a letter application. Failure to request a discovery conference may result in the denial of the motion.
	Pines	The Court endeavors to resolve discovery disputes promptly, usually by conference, which may be held telephonically or in person. In the event that the dispute is not resolved, the Court will set an expedited briefing schedule. Counsel shall, prior to requesting a conference, meet in person to discuss the issues and endeavor to resolve or limit them, prior to seeking judicial intervention.
Westchester		

District / County	Justice	Part Specific Rule
	Jamieson	With respect to cases already assigned to this Court at the time that a discovery dispute arises, no motion with respect to the dispute shall be made without a prior conference with the Court, which may be obtained by submission of a letter application, not exceeding one page in length.
	Jamieson	With respect to cases in which a discovery motion accompanies the Request for Judicial Intervention which leads to the assignment to this Court, no opposition papers shall be served until there has been a prior conference with the Court, which may be obtained by letter application, not exceeding one page in length. The application for a discovery conference may be made by the movant or by the opposing counsel; however, the application must be made within eight days of service of the motion. Failure to request a discovery conference may result in the denial of the motion.
	Jamieson	The Court endeavors to resolve discovery disputes promptly, usually by conference, which may be held telephonically or in person. In the event that the dispute is not resolved, the Court will set an expedited briefing schedule. Counsel shall, prior to requesting a conference, meet in person to discuss the issues and endeavor to resolve or limit them, prior to seeking judicial intervention.
	Scheinkman	With respect to cases already assigned to this Court at the time that a discovery dispute arises, no motion with respect to the dispute shall be made without a prior conference with the Court, which may be obtained by submission of a letter application, not exceeding one (1) page in length. Counsel must obtain permission from Chambers prior to the submission of such letter application.
	Scheinkman	With respect to cases in which a discovery motion accompanies the Request for Judicial Intervention which leads to the assignment to this Court, no opposition papers shall be served until there has been a prior conference with the Court, which may be obtained by letter application, not exceeding one (1) page in length. The application for a discovery conference may be made by the movant or by the opposing counsel; however, the application must be made within eight (8) days of service of the motion. Counsel must obtain permission from Chambers prior the submission of a letter application. Failure to request a discovery conference may result in the denial of the motion.
	Scheinkman	The Court endeavors to resolve discovery disputes promptly, usually by conference, which may be held telephonically or in person. In the event that the dispute is not resolved, the Court will set an expedited briefing schedule. Counsel shall, prior to requesting a conference, meet in person to discuss the issues and endeavor to resolve or limit them, prior to seeking judicial intervention.

Rule 15. Adjournments of Conferences. Adjournments on consent are permitted with the approval of the court for good cause where notice of the request is given to all parties. Adjournment of a conference will not change any subsequent date in the preliminary conference order, unless otherwise directed by the court.

District / County	Justice	Part Specific Rule
8th		
	Walker	No same day adjournments shall be permitted, except in extraordinary circumstances, and only upon Court approval.
	Walker	Matters shall not be adjourned generally. The first and second adjournments may be obtained without Court permission, on consent of all counsel, by informing Chambers at least twenty-four (24) hours prior to the return date. Letters confirming adjournments, and re-scheduled return dates shall be provided to all counsel and Chambers by counsel requesting the adjournment.
	Walker	Conference adjournments shall be granted only with consent of all attorneys, and remain subject to Court approval.
Kings		
	All Justices	<p>Adjournments of any other conferences are permitted for good cause with the approval of the Court on written stipulation of all parties submitted at least two business days prior to the scheduled date of the conference.</p> <p>Stipulations may be faxed to the Judges' Chambers. Fax numbers may be found on the Kings County Commercial Division website under the Judges' Part and Chambers Information.</p>
Nassau		
	DeStefano	Applications to adjourn conferences or motions must be made prior to the conference date or return date of the motion. Applications for adjournments are to be made on the Request for Adjournment Form which can be obtained through chambers. The Request for Adjournment Form is to be filled out by counsel and faxed to chambers. The form requires counsel to provide, among other things, information concerning proposed adjourn dates agreed to by all parties, the date the RJI was purchased, the date preliminary conference was held, the date and nature of the most recent conference, the date the Note of Issue was or is expected to be filed, and the reason for the requested adjournment. If the application is granted, a letter confirming same shall be faxed to chambers. Absent extraordinary circumstances, no request for an adjournment will be granted if the application is made later than 2:00 p.m. of the business day prior to the conference or motion return date.
	DeStefano	<p>Letters confirming adjournments shall state that the court has adjourned the conference or motion on consent of the parties to the specified date, and shall contain the full names of both parties, the index number as well as a notation indicating that all parties have been copied.</p> <p>Adjournment requests that are left on the Chamber's Voice Mail shall be disregarded.</p> <p>Adjournments requested because of engagement of counsel must be accompanied by an Affirmation of Engagement in conformity with 22 NYCRR § 125.1, as well as a request for adjournment form.</p> <p>The foregoing rules regarding adjournments are applicable to all motions (cf. 22 NYCRR 202.70 Rule 16[c]).</p>
New York		
	Bransten	<p>Parties may contact chambers regarding adjournments of appearance. A party seeking an adjournment of any scheduled appearance or court-ordered date must receive court permission. Adjournments will not be permitted in the absence of a court-authorized stipulation, court order or a conference call to chambers with ALL parties on the line. The court prefers to receive calls to chambers for adjournments between the hours of 3 to 5 p.m.</p> <p>Requests for adjournments or extensions of time (a) must be made at least 48 hours prior to scheduled appearance or deadline; and (b) the party contacting the court must state: (i) the original date; (ii) the number of previous requests for adjournment or extension; (iii) whether prior requests were granted or denied; (iv) whether ALL other parties consent; and (v) assuming that ALL parties consent, two proposed alternative dates.</p>
	Bransten	A party will not be excused from a scheduled appearance without first seeking and receiving leave from the court.

District / County	Justice	Part Specific Rule
	Friedman	Parties must obtain Court permission to adjourn any Court appearance. Absent an emergency, such permission must be obtained no later than two (2) business days in advance of a scheduled conference and no later than three (3) business days in advance of an oral argument. Adjournments of trial dates are governed by Commercial Division Rule 25.
	Friedman	All requests for first time adjournments of conferences should be made to the Clerk of Part 60.
	Friedman	A preliminary conference may be adjourned once on consent for no more than thirty (30) days to a Tuesday or Thursday afternoon. A stipulation agreeing to the adjournment must be e-filed, and a working copy of the stipulation must be filed with the Clerk of Part 60, in advance of the date that is being adjourned.
	Friedman	Requests for subsequent adjournments of conferences and for adjournments of oral arguments and trial dates should be made by conference call, with all appearing parties, to Chambers.
	Kornreich	All questions about scheduling appearances or adjournments should be addressed to the Part Clerk, Celia Rodriguez, at (646) 386-3362. No adjournments will be granted over the phone unless all parties are on the line.
	Kornreich	Please be advised that litigants must obtain Court permission to adjourn a conference. Excepting emergencies, such permission must be obtained no later than 2 business days in advance of the scheduled appearance. In other words, court permission to adjourn a Thursday conference must be secured no later than the close of business on the preceding Monday.
	Oing	All adjournments (motions, conferences, trials) require prior Court approval. Requests for adjournments, in the first instance, shall be directed to the Part Clerk at 646-386-3265. Do not telephone Chambers.
	Oing	Where all parties consent to the adjournment, the requesting counsel shall deliver such stipulation by facsimile to 212-952-6553, and shall be responsible for e-filing the stipulation.
	Oing	Adjournment applications and stipulations shall be made at least 24 hours in advance of the scheduled Court appearance. Applications made in contravention of this rule may be declined.
	Oing	A Court approved adjournment shall be reduced to a written stipulation prepared by the requesting counsel and must be signed by all counsel. If applicable, the stipulation shall set forth a briefing schedule. The requesting counsel shall deliver the stipulation to Part 48 by facsimile to 212-952-6553, and shall be responsible for e-filing the stipulation.
	Ramos	<p>Requests for Adjournment: Absent extraordinary circumstances, no motion scheduled for oral argument in Part 53 will be adjourned unless the request for adjournment is received by the Part Clerk no later than noon the day prior to the scheduled argument. Otherwise, only one adjournment is allowed per argument on a motion or conference, no matter which side requests it or even if all parties agree.</p> <p>Please DO NOT CALL OR SEND letters/faxes to chambers or the courtroom to request an adjournment.</p> <p>Any and all requests for an adjournment shall be made by E-mail, cc'ed to all parties, to RCE53@courts.state.ny.us</p>
	Scarpulla	All adjournments (motions, conferences, trials) require prior court approval. Ex parte applications for adjournments will not be considered.
	Scarpulla	Requests to adjourn a conference, in the first instance, shall be directed to the Part Clerk at 646-386-3275. Conferences will only be adjourned by stipulation. The parties must first consult with the Part Clerk before selecting a new date for the conference. Applications to adjourn a conference shall be made at least 24 hours in advance of the scheduled conference.
Sherwood	Scheduling. All questions about scheduling and adjournments should be addressed to the Part 49 Clerk, Rosa Medina, at rmedina@nycourts.gov , or (646) 386-4033. Court permission is needed to adjourn any scheduled conference. Requests shall be e-filed no later than one (1) full business day in advance of the scheduled appearance, typically by 5:00 p.m. the Friday prior to the Tuesday conference day. Requests submitted after the deadline will be denied absent a showing of good cause.	
Queens		
	Ritholtz	There will be no adjournments of Compliance Conferences whatsoever.
Suffolk		

District / County	Justice	Part Specific Rule
	Emerson	Parties should address questions about scheduling appearances or adjournments to the Part Clerk, at (631) 852-2139. Please be advised that counsel/litigants must obtain Court permission to adjourn a status conference. Except emergencies, such permission must be obtained no later than two business days in advance of the scheduled appearance. Counsel must make every effort to obtain consent to an adjournment from all adversaries in the matter and be prepared to communicate that consent to the Court. If counsel is unable to get consent, counsel must send a brief letter to the Court with a copy to all adversaries, explaining the circumstances necessitating the adjournment and the reason consent could not be obtained. Counsel/Litigants must wait at least 24 hours to allow for the adversary to respond to the request before contacting the Court.
	Pines	All questions about scheduling appearances or adjournments should be addressed to the Court's Secretary, Valarie Genchi, at 631-852-3117. Requests for adjournment of matters appearing on a Tuesday calendar should be made by not later than 3:00 p.m. on Friday. Requests made after that will likely not be granted. All requests for adjournments must be made with the agreement of opposing counsel and, if approved, confirmed by letter with copies to all counsel. If consent cannot be obtained, then the requesting counsel must arrange for a conference call with the Court.
	Pines	Counsel may call the Court's Secretary, Valarie Genchi, with respect to the scheduling of appearances and with respect to adjournment applications.
Westchester		
	Jamieson	All questions about scheduling appearances or adjournments should be addressed to the Part Clerk, Lois Kouroumousis, at (914) 824-5345. Do not contact Chambers regarding such issues. Requests for adjournment of matters should be made by not later than 2:00 p.m. on the day before. Requests made after that will likely not be granted. All requests for adjournments must be made with the request of all opposing counsel and, if approved by the Court, confirmed by a signed Stipulation of all counsel. If consent cannot be obtained, then the requesting counsel must arrange for a conference call with the Court and, if one cannot be timely arranged, then the application must be made at the call of the calendar.
	Jamieson	WORKING COPIES OF STIPULATIONS TO BE SO-ORDERED (INCLUDING REQUESTS FOR ADJOURNMENT) MUST BE RECEIVED BY CHAMBERS 48 HOURS BEFORE THE EXISTING SCHEDULED DATE. IF THIS CAN NOT BE ACHIEVED, COUNSEL ARE TO CALL OUR PART CLERK.
	Scheinkman	All questions about scheduling appearances or adjournments should be addressed to the Part Clerk, Maryann Tamberella, at (914) 824-5348. Do not contact Chambers regarding such issues. Requests for adjournment of matters appearing on the weekly Commercial Calendar should be made by not later than 3:00 p.m. on the day before. Requests made after that will likely not be granted. All requests for adjournments must be made with the request of all opposing counsel and, if approved by the Court, confirmed by a signed Stipulation of all counsel. If consent cannot be obtained, then the requesting counsel must either arrange for a conference call with the Court and, if one cannot be timely arranged, then the application must be made at the call of the calendar.
	Scheinkman	<ol style="list-style-type: none"> 1. Counsel may call the Part Clerk with respect to the scheduling of appearances and with respect to adjournment applications. 2. Counsel may call Chambers and/or the Part Clerk to arrange for a telephone conference with the Court or with the Law Secretary. 3. Counsel may not contact Chambers without all opposing counsel on the phone, except for the purpose of facilitating a conference call.

General Rules: Timing of Motion Papers		
District / County	Justice	Part Specific Rule
7th		
	Rosenbaum	Motion papers must be received no later than one week in advance of the return date. Answering papers and/or cross-motions must be received no later than two days before the return date. Reply papers must be received by no later than 10 a.m. on the day before the return date.
8th		
	Walker	Copies of all submissions for consideration by the Court (other than those relating to Orders to Show Cause - see below), shall be received by Chambers at least three (3) business days prior to the return date, and before 2:00 p.m. Reply submissions if any, must be received by Chambers at least one (1) business day prior to the return date, and before 2:00 p.m., and shall not re-iterate previous submissions. Cross-motions shall be governed by the CPLR, and the Court requires strict compliance with CPLR §2214(b). Except for applications for Orders to Show Cause, the originals of all submissions shall be filed with the office of the clerk of the county in which the matter is commenced/pending. Oral argument is expected on all cases, unless counsel notify Chambers of an agreement to the contrary prior to the return date. Discovery motions shall be accompanied by the affirmation of good faith required by 22 NYCRR § 202.7. Counsel shall refrain from citing case law in affidavits and/or affirmations. Only submissions served in accordance with the provisions of these rules will be considered in connection with any motion or cross-motion.
Kings		
	Demarest	All motion papers and subsequent papers responding to the motion must be received at least two (2) business days before the motion is to be heard.
Onondaga		
	Karalunas	Oral argument is required on all motions. Absent prior permission of Chambers, all motions must be filed and served a minimum of 28 days before oral argument and opposing papers and any cross-motions must be filed and served a minimum of 14 days before oral argument. Reply papers, if any, and papers in opposition to any cross-motions are due seven days before oral arguments.

Rule 16 (a). Motions in General. Form of Motion Papers. The movant shall specify in the notice of motion, order to show cause, and in a concluding section of a memorandum of law, the exact relief sought. Counsel must attach copies of all pleadings and other documents as required by the CPLR and as necessary for an informed decision on the motion (especially on motions pursuant to CPLR 3211 and 3212). Counsel should use tabs when submitting papers containing exhibits. Copies must be legible. If a document to be annexed to an affidavit or affirmation is voluminous and only discrete portions are relevant to the motion, counsel shall attach excerpts and submit the full exhibit separately. Documents in a foreign language shall be properly translated. CPLR 2101(b). Whenever reliance is placed upon a decision or other authority not readily available to the court, a copy of the case or of pertinent portions of the authority shall be submitted with the motion papers.

District / County	Justice	Part Specific Rule
7th		
	Rosenbaum	The Court is not presently set up for e-filing, though e-filing is expected to be implemented in the near future. Under present circumstances, all notices of motion and proposed orders to show cause must be filed with the Assignment Office. All other motion papers should be filed with the Assignment office as well. Counsel are advised, however, that because there may be a time lag between filing with the Assignment Office and receipt of the papers by the Part, papers should be filed as promptly as possible. While courtesy copies are not required, courtesy copies may be delivered to Chambers, a practice that is especially helpful with respect to papers being filed close to the return date. Courtesy copies may either be hand delivered to Chambers or sent via overnight delivery, provided that, if overnight delivery is used, the papers must be sent so as to be received by 10:00 a.m. on the day prior to the return date. While the courtesy copies will be read by chambers staff for the purpose of expediency, the Court will make no final determination on the papers until the originals are received from the Assignment Office.
	Rosenbaum	The notice of motion or order to show cause shall include a statement of the precise relief sought. All dispositive motions must include a copy of the pleadings. Exhibit tabs are required. If a document to be annexed to an affidavit or affirmation is voluminous and only discrete portions are relevant to the motion, counsel shall attach only the pertinent excerpts and submit the full exhibit separately. Memoranda of law shall not exceed fifteen (15) pages in length. Sur-replies and post-argument submissions are not allowed without advance express permission of the Court.
	Rosenbaum	On motions to dismiss for summary judgment pursuant to CPLR 3211, 3212 and 3213 and motions for preliminary injunction, all memoranda of law shall be bound separately from other papers submitted. Motions papers, including cross-motions, must bear the County Clerk's "paid" stamp pursuant to CPLR §8020(a). Motion papers must be received no later than one (1) week in advance of the return date, together with a special term note of issue. Answering papers and/or cross-motions must be received no later than two (2) days before the return date. Reply papers must be received by no later than 10 a.m. on the day before the return date.
Kings		
	All Justices	The Court will entertain motions, as scheduled in the New York Law Journal and on E-Courts, on Wednesdays unless otherwise directed by the Court. Information on future court appearances is available on E-Courts (www.nycourts.gov/ecourts). All motions require appearances and oral argument. All responsive papers must be filed with the Motion Support Office or the Clerk of the Part at least two days before the scheduled date of the motion. The first call of the motion calendar will be at 9:45 a.m. The second and final call will be held at 10:15 a.m.
Nassau		
	DeStefano	All exhibits must be clearly tabbed; motions not consistent with this rule will be rejected and returned to counsel
	DeStefano	Motions are to be served and filed in conformity with CPLR 2214. In addition, the various branches of the motion as delineated in the Notice of Motion or Order To Show Cause are to be preceded by a number or letter which corresponds to a number or letter in the supporting affirmations and affidavits containing the numbered paragraphs dealing with the particular relief sought.
	DeStefano	Counsel are requested to provide the court with self-addressed, stamped envelopes with the submitted papers in order to facilitate delivery of the court's decision.
New York		
	Bransten	All motion papers are required to have the appropriate Motion Sequence Number to which they are related placed on the front page.

District / County	Justice	Part Specific Rule
	Bransten	Affirmations submitted in support of or in response to dispositive motions must be separate from any memoranda of law submitted in relation to the motion. Affirmations should not include arguments of law.
	Bransten	All memoranda of law must include a Table of Contents and a Table of Authorities.
	Bransten	All footnotes in papers submitted to the court must be in 12-point font.
	Friedman	Motions will be heard on Tuesday and Thursday mornings, and as otherwise scheduled by the Court.
	Friedman	If a motion is resolved or otherwise disposed of in advance of the oral argument date, the parties should immediately notify the Court by stipulation, if possible, or by letter on notice to all appearing parties.
	Friedman	Where the Court directs a party or parties to order a transcript of an oral argument of a motion, the motion will not be marked submitted until the transcript is e-filed and a hard copy is filed with the Clerk of Part 60. If the Court also directs the parties to file an errata sheet with the transcript, the motion will not be marked submitted until the transcript and errata sheet are efiled and a hard copy of each is filed with said Clerk.
	Friedman	Requests for commissions should be made by stipulation, if possible, or by motion.
	Kornreich	Motion sequence numbers shall appear on ALL motion papers: the notice of motion, memos of law, exhibits, affirmations, etc. and settled orders. All exhibits must be separated by exhibit tabs. Unless the papers are bound on the left side, two-sided copies of exhibits are not permitted.
	Kornreich	At the conclusion of oral argument the movant is to order the transcript and have a copy e-filed. No motion will be deemed fully submitted until the court receives the transcript. If a decision is rendered on the record, the prevailing party shall e-file a copy of the transcript.
	Kornreich	All orders on motions or stipulations to consolidate or amend captions shall be served with notice of entry on the Trial Support Office, Room 158M, and the Clerk of the Court.
	Oing	For motions, at the conclusion of oral argument, the movant shall order the transcript and bear the cost. The transcript shall be delivered to Part 48, Room 242, with a cover letter setting forth the case name, index number, and motion sequence no., to be so ordered by the Court. Counsel shall e-file the transcript.
	Oing	If a motion is withdrawn or resolved, counsel shall promptly notify Chambers by facsimile. Counsel shall also e-file such notice.
	Ramos	All orders on motions or stipulations to consolidate or change captions shall be sent to the Trial Support Office, located in Room 158M.
	Ramos	Transcripts of Proceedings: Subsequent to each oral argument held on a motion, the moving party shall request from the court reporter a transcript of the proceedings and promptly provide a copy to the Court, to be delivered to the Part Clerk. Failure to provide a copy of the transcript to the Court when specifically directed by Chambers will result in the motion being marked abandoned. Contact the Part Clerk to obtain the name and contact information of the court reporter.
	Ramos	Motion sequence numbers shall appear on ALL motion papers including: the notice of motion, memos of law, exhibits, affirmations, AND proposed/settled orders.
	Ramos	Memorandums of Law ARE REQUIRED on ALL motions. Failure to submit separate memos of law (not incorporated into attorney affirmations) may result in the denial of the motion.
	Scarpulla	Requests for Commissions should be made by stipulation, if possible, or by motion.
	Scarpulla	All memoranda of law must include a Table of Contents and Table of Authorities.
	Sherwood	Transcripts. Unless the court directs otherwise, on any motion the movant shall order the transcript of oral argument. The parties are responsible for both e-filing the transcript and submitting a hard copy to Part 49. No motion will not be deemed sub judice until a transcript is received.
	Sherwood	Motion Sequence Numbers shall appear on motion papers: the notice of motion, memos of law, exhibits, affirmations, settled orders, etc. They shall also appear on all correspondence pertaining to the motion.
	Sherwood	Questions pertaining to motion practice should be addressed in the first instance to the Commercial Division Support Office at (646) 386-3020.
Queens		
	Grays	ALL MOTIONS NOTICED TO BE HEARD AFTER OCTOBER 1, 2012 ARE RETURNABLE IN THE CENTRALIZED MOTION PART (CMP). All parties are required to comply with both the CMP Rules and the Part 4 Rules regarding "Motion Papers". THE COURT WILL NOT CONSIDER PAPERS SENT TO CHAMBERS OR TO THE PART AFTER SUBMISSION OF THE MOTION. All questions regarding motions returnable in the CMP shall be directed to the CMP at (718) 298-1728

District / County	Justice	Part Specific Rule
	Grays	All motion papers submitted shall be in compliance with 22 NYCRR §202.5, concerning papers filed with the court. In addition to the requirements of 22 NYCRR §202.5, all pages are to be numbered and all paragraphs are to be numbered. All exhibits are to be proceeded by a numbered exhibit tab which protrudes from the stack of papers. All submissions are to be securely fastened so as to prevent the papers from separating from each other and becoming lost. FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION MAY RESULT IN REJECTION OF THE OFFENDING SUBMISSION
	Hart	ALL MOTIONS NOTICED TO BE HEARD ARE RETURNABLE IN THE CENTRALIZED MOTION PART (CMP). All parties are required to comply with both the CMP Rules and the Part 18 Rules regarding "Motion Papers". The court may, in its discretion, consider motion papers submitted to the Part after motions have been marked "fully submitted" in CMP.
	Hart	All motion papers submitted shall be in compliance with 22 NYCRR § 202.5, concerning papers filed with the court. In addition to the requirements of 22 NYCRR § 202.5, all pages are to be numbered and all paragraphs are to be numbered. All exhibits are to be proceeded by a numbered exhibit tab which protrudes from the stack of papers. All submissions are to be securely fastened so as to prevent the papers from separating from each other and becoming lost. FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION MAY RESULT IN REJECTION OF THE OFFENDING SUBMISSION. The Motion Sequence Number must be on the first page of all submissions. Except in extraordinary cases, motions are to be limited to twenty pages. Any party annexing a deposition transcript in excess of one hundred (100) pages as an exhibit to a motion, shall submit such transcript on a disc, in lieu of paper, with the motion.
	Hart	The moving papers, with an affidavit of good faith where required by Uniform Rule 202.7, shall be filed with CMP by following its procedures and as required by law.
	Kitzes	The motion calendar will be called every WEDNESDAY at 9:30 a.m. promptly. A second call will follow immediately thereafter. No courtesy copies to chambers are required EXCEPT IN THE CASE OF E-FILED MOTIONS.
	Kitzes	Electronic filing is available for filing legal papers with this Court. Parties interested in electronic filing should read the materials set forth at www.nycourts.gov/efile . The rules and User's Manual for electronic filing are available on this web site. Courtesy copies to chambers are required IN THE CASE OF E-FILED MOTIONS
	Ritholtz	ALL MOTIONS shall be made returnable in the Centralized Motion Part (CMP). Parties are required to comply with the CMP rules. All inquires regarding such motions shall be made to the Centralized Motion Part Office at (718) 298-1728.
Suffolk		
	Emerson	If counsel wishes to receive a copy of the decision, a self-addressed stamped envelope must be provided to the Court.
	Emerson	All citations must include a cite to the official reports.
	Pines	Motions are to be returnable on Tuesdays. Motions made returnable at any other time, absent prior permission of the Court, will be adjourned by the Part Clerk to the next available Tuesday.
	Pines	All papers must comply with the applicable provisions of the CPLR and with Rules 16 and 18 of the Commercial Rules. In addition, the font size of text and footnotes must be no smaller than 12 point. Papers which do not comply may be rejected.
	Pines	All motions pursuant to CPLR 3211 and /or 3212 shall include, in outline form, a statement of the nature of each cause of action that is the subject of the motion and identifying each party seeking relief and the party against who relief is sought. Additionally, if the motion is made pursuant to CPLR 3211, the outline shall identify the specific subdivision(s) of CPLR 3211 relied upon by the movant with regard to each cause of action sought to be dismissed.
	Pines	No motion papers will be sealed without a prior, or contemporaneous, application for sealing made pursuant to Part 216 of the Rules of the Chief Administrative Judge.
Westchester		
	Jamieson	All papers must comply with the applicable provisions of the CPLR and with Rules 16 and 18 of the Commercial Division Rules. In addition, the font size of text and footnotes must be no smaller than 11 point. Papers which do not comply may be rejected.
	Jamieson	All exhibits shall be separately tabbed. In the event that multiple affidavits or affirmations are submitted in support of a motion under the same legal back, each such exhibit shall be accompanied by a clearly discernible side or bottom tab containing the last name of the affiant.
	Jamieson	No motion papers will be sealed without a prior, or contemporaneous, application for sealing made pursuant to Part 216 of the Rules of the Chief Administrative Judge.

District / County	Justice	Part Specific Rule
	Scheinkman	Motions are to be returnable on Fridays at 9:30 a.m. Motions made returnable at any other time, absent prior permission of the Court, will be adjourned by the Part Clerk to the next available Friday.
	Scheinkman	All papers must comply with the applicable provisions of the CPLR and with Rules 16 and 18 of the Commercial Division Rules. In addition, the font size of text and footnotes must be no smaller than 12 point. Papers which do not comply may be rejected.
	Scheinkman	All exhibits shall be separately tabbed. In the event that multiple affidavits or affirmations are submitted in support of a motion under the same legal back, each such exhibit shall be accompanied by a clearly discernible side or bottom tab containing the last name of the affiant.
	Scheinkman	No motion papers will be sealed without a prior, or contemporaneous, application for sealing made pursuant to Part 216 of the Rules of the Chief Administrative Judge.

Rule 16 (b). Motions in General. Proposed Orders. When appropriate, proposed orders should be submitted with motions, e.g., motions to be relieved, pro hac vice admissions, open commissions, etc. No proposed order should be submitted with motion papers on a dispositive motion.

District / County	Justice	Part Specific Rule
7th		
	Rosenbaum	Orders are to be approved by all attorneys/parties prior to submission to the Court for signature, with notice to the court of such approval. Otherwise, they are to be settled pursuant to 22 NYCRR § 202.48.
8th		
	Walker	Shall be submitted to Chambers by the prevailing party's counsel within ten (10) business days of a decision as to same, together with verification that the order has been served upon all opposing counsel (or pro se litigants), and that no objection has been received within three (3) business days of service. Orders will not be signed without said verification.
Nassau		
	DeStefano	If all or part of a submitted motion is settled, a proposed order with notice of settlement (on at least 10 days notice), or a signed waiver of settlement, shall be submitted with a copy to be conformed along with a self-addressed, stamped envelope. Such order shall be accompanied by a letter setting forth the date the motion was submitted, what aspects of the Motion have been settled and what issues remain to be decided. A copy of the stipulation settling such issues shall be forwarded to the Court. If the motion is resolved, in whole or part, on the record, counsel shall obtain such transcript so that same can be "so ordered", unless the Court otherwise directs.
New York		
	Friedman	Where the Court decides a motion on the record, the movant or prevailing party shall promptly e-file the transcript and file a hard copy with the Clerk of Part 60. The transcript will be so ordered only after the hard copy is filed.
	Kornreich	In the event that a party requests that a transcript be "So Ordered" by the Court, the following procedure must be adhered to: transcripts shall be submitted together with an errata sheet correcting all errors in the record, including presumed court errors. If all parties consent to the proposed corrections or agree that no corrections are required, a stipulation to that effect shall accompany the errata sheet or transcript. In the absence of consent, the requesting party shall notice the record for settlement pursuant to CPLR 5525 [c].
	Ramos	In the event that a party requests that a transcript be "So Ordered" by the Court, the following procedure must be adhered to: Transcripts shall be submitted together with an errata sheet correcting all errors in the record, including presumed court errors. If all parties consent to the proposed corrections or agree that no corrections are required, a stipulation to that effect shall accompany the errata sheet or transcript. In the absence of consent, the requesting party shall notice the record for settlement pursuant to CPLR 5525 [c].
	Ramos	Proposed Orders submitted in connection with a motion must be settled on NOTICE, contain the motion sequence number, and be sent directly to the Part or Chambers (unless the proposed order is submitted in connection with a default judgment, in which case, the proposed order should be sent to the Commercial Support Office).
Onondaga		
	Karalunas	Any motion for an order admitting an attorney pro hac vice shall include a proposed order. The proposed order shall include an ordering paragraph reciting 22 NYCRR Sections 520.1 1 (e)(1) & (2) in their entirety.
Westchester		
	Jamieson	Where the Court decides a motion on the Record, the prevailing party shall order the transcript, and promptly e-file the transcript. A hard copy shall be delivered to Chambers to be so-Ordered.

Rule 16 (c). Motions in General. Adjournment of Motions. Dispositive motions (made pursuant to CPLR 3211, 3212 or 3213) may be adjourned only with the court's consent. Non-dispositive motions may be adjourned on consent no more than three times for a total of no more than 60 days unless otherwise directed by the court.

District / County	Justice	Part Specific Rule
Kings		
	All Justices	Adjournment of Motions. Dispositive motions (made pursuant to CPLR 3211, 3212 or 3213) may be adjourned only with the court's consent. Non-dispositive motions may be adjourned by written stipulation no more than three times for a total of no more than 60 days unless otherwise directed by the court. Adjournments must be obtained at least two business days in advance of the return date except in the case of an emergency. Stipulations must be accompanied by a cover letter explaining the reason for the adjournment. Fax numbers for all counsel must be provided in the cover letter or the stipulation.
	Solomon	Motions may be adjourned twice upon consent of the parties or upon application to the Court. A confirmation, in stipulation form, is to be faxed to Chambers at 718-643-4861. Any further adjournments must be with the consent of the Court.
Nassau		
	DeStefano	Applications to adjourn conferences or motions must be made prior to the conference date or return date of the motion. Applications for adjournments are to be made on the Request for Adjournment Form which can be obtained through chambers. The Request for Adjournment Form is to be filled out by counsel and faxed to chambers. The form requires counsel to provide, among other things, information concerning proposed adjourn dates agreed to by all parties, the date the RJI was purchased, the date preliminary conference was held, the date and nature of the most recent conference, the date the Note of Issue was or is expected to be filed, and the reason for the requested adjournment. If the application is granted, a letter confirming same shall be faxed to chambers. Absent extraordinary circumstances, no request for an adjournment will be granted if the application is made later than 2:00 p.m. of the business day prior to the conference or motion return date.
	DeStefano	<p>Letters confirming adjournments shall state that the court has adjourned the conference or motion on consent of the parties to the specified date, and shall contain the full names of both parties, the index number as well as a notation indicating that all parties have been copied.</p> <p>Adjournment requests that are left on the Chamber's Voice Mail shall be disregarded.</p> <p>Adjournments requested because of engagement of counsel must be accompanied by an Affirmation of Engagement in conformity with 22 NYCRR § 125.1, as well as a request for adjournment form.</p> <p>The foregoing rules regarding adjournments are applicable to all motions (cf. 22 NYCRR 202.70 Rule 16[c]).</p>
New York		
	Bransten	<p>Parties may contact chambers regarding adjournments of appearance. A party seeking an adjournment of any scheduled appearance or court-ordered date must receive court permission. Adjournments will not be permitted in the absence of a court-authorized stipulation, court order or a conference call to chambers with ALL parties on the line. The court prefers to receive calls to chambers for adjournments between the hours of 3 to 5 p.m.</p> <p>Requests for adjournments or extensions of time (a) must be made at least 48 hours prior to scheduled appearance or deadline; and (b) the party contacting the court must state: (i) the original date; (ii) the number of previous requests for adjournment or extension; (iii) whether prior requests were granted or denied; (iv) whether ALL other parties consent; and (v) assuming that ALL parties consent, two proposed alternative dates.</p>
	Bransten	A party will not be excused from a scheduled appearance without first seeking and receiving leave from the court.
	Friedman	Parties must obtain Court permission to adjourn any Court appearance. Absent an emergency, such permission must be obtained no later than two (2) business days in advance of a scheduled conference and no later than three (3) business days in advance of an oral argument. Adjournments of trial dates are governed by Commercial Division Rule 25.
	Friedman	All requests for first time adjournments of conferences should be made to the Clerk of Part 60.
	Friedman	Requests for subsequent adjournments of conferences and for adjournments of oral arguments and trial dates should be made by conference call, with all appearing parties, to Chambers.
	Oing	All adjournments (motions, conferences, trials) require prior Court approval. Requests for adjournments, in the first instance, shall be directed to the Part Clerk at 646-386-3265. Do not telephone Chambers.

District / County	Justice	Part Specific Rule
	Oing	Where all parties consent to the adjournment, the requesting counsel shall deliver such stipulation by facsimile to 212-952-6553, and shall be responsible for e-filing the stipulation.
	Oing	Adjournment applications and stipulations shall be made at least 24 hours in advance of the scheduled Court appearance. Applications made in contravention of this rule may be declined.
	Oing	A Court approved adjournment shall be reduced to a written stipulation prepared by the requesting counsel and must be signed by all counsel. If applicable, the stipulation shall set forth a briefing schedule. The requesting counsel shall deliver the stipulation to Part 48 by facsimile to 212-952-6553, and shall be responsible for e-filing the stipulation.
	Ramos	Requests for Adjournment: Absent extraordinary circumstances, no motion scheduled for oral argument in Part 53 will be adjourned unless the request for adjournment is received by the Part Clerk no later than noon the day prior to the scheduled argument. Otherwise, only one adjournment is allowed per argument on a motion or conference, no matter which side requests it or even if all parties agree. Please DO NOT CALL OR SEND letters/faxes to chambers or the courtroom to request an adjournment. Any and all requests for an adjournment shall be made by E-mail, cc'ed to all parties, to RCE53@courts.state.ny.us
	Scarpulla	All adjournments (motions, conferences, trials) require prior court approval. Ex parte applications for adjournments will not be considered.
	Scarpulla	Requests to adjourn a motion that is scheduled for oral argument, in the first instance, shall be directed to the Part Clerk at 646-386-3275. Motions will only be adjourned by stipulation. If adjourning by stipulation, parties must first consult with the Part Clerk before selecting a new date for oral argument. Applications to adjourn a motion shall be made at least 48 hours in advance of the oral argument.
	Scarpulla	To adjourn a motion that is in the Submissions Part (Room 130): a. If the parties wish to adjourn the motion for less than sixty (60) days the parties may adjourn by stipulation without an order from the Court. The stipulation must be electronically filed and filed in the Submissions Part on the return date of the motion. b. If the parties wish to adjourn the motion for more than sixty (60) days from the original return date, then the parties must submit a stipulation of adjournment to the Court for approval. i. Parties must deliver the proposed stipulation to the Court by electronic filing and facsimile. ii. If approved, the So-Ordered version will be electronically filed, so that the parties may retrieve the signed order from the electronic filing system and present it to the Submissions Part on the return date.
Queens		
	Hart	All stipulations and requests for adjournments filed in the clerk's office for initial motions are granted only to the extent that the motion will be heard for all purposes in Part 18 on the rescheduled date in the Law Journal publication of the IAS assignment.
	Hart	Mandatory appearance is required for counsel for all parties and pro se litigants on all dates, unless otherwise directed by Justice Hart or his designee. Adjournments may be sought only by application to Justice Hart in open court and not by consent of counsel. Service representatives and non-attorneys will not be permitted to make applications. A preliminary conference order may issue in full or partial disposition of the motion and/or cross motion.
	Kitzes	Use of calendar service is permitted both to submit papers and to request counsel adjournments, which will be limited to two. The first adjournment on consent will be allowed on papers, thereafter attorneys seeking a further adjournment must appear.
	Kitzes	Do not call the Part or Chambers for adjournments as NO ADJOURNMENTS WILL BE GRANTED ON THE TELEPHONE. The Court will not consider papers sent to Chambers or to the Part after submission.
	Kitzes	The members of the Bar should make every effort to notify their adversaries and cocounsel of all applications for adjournments in advance.
Suffolk		
	Pines	Adjournments are governed by Rule 16(c) of the Commercial Division Rules.
Westchester		
	Jamieson	Adjournments are governed by Rule 16(c) of the Commercial Division Rules.
	Scheinkman	Adjournments are governed by Rule 16(c) of the Commercial Division Rules.

Rule 17. Length of Papers. Unless otherwise permitted by the court: (i) briefs or memoranda of law shall be limited to 25 pages each; (ii) reply memoranda shall be no more than 15 pages and shall not contain any arguments that do not respond or relate to those made in the memoranda in chief; (iii) affidavits and affirmations shall be limited to 25 pages each.

District / County	Justice	Part Specific Rule
7th		
	Rosenbaum	The notice of motion or order to show cause shall include a statement of the precise relief sought. All dispositive motions must include a copy of the pleadings. Exhibit tabs are required. If a document to be annexed to an affidavit or affirmation is voluminous and only discrete portions are relevant to the motion, counsel shall attach only the pertinent excerpts and submit the full exhibit separately. Memoranda of law shall not exceed fifteen (15) pages in length. Sur-replies and post-argument submissions are not allowed without advance express permission of the Court.
Kings		
	All Justices	The Kings County Commercial Division will strictly enforce Uniform Rules, § 202.70(g), Rules 6 and 17 relating to the form and length of papers submitted to the Court. Unless the Court has authorized a longer brief in advance, counsel are advised that briefs and affidavits in excess of 25 and 15 pages as specified in the Rules may be rejected.
New York		
	Friedman	Page limits specified in Commercial Division Rule 17 will be strictly enforced, unless permission to expand the page limits is granted in advance of the filing of the papers. Such permission will not be granted absent a showing of good cause.
	Ramos	Page extension requests (enlarged briefs) will be denied absent an extraordinary showing of complexity. Parties requesting a page extension shall submit a short statement containing the request to REC53@courts.state.ny.us. Combined briefs for cross-motions are restricted to the same page limits set forth in Commercial Division Rule 17.
	Scarpulla	Page limits specified in Commercial Division Rule 17 will be strictly enforced, unless permission to expand the page limits is granted in advance of the filing of the papers.

Rule 18. Sur-Reply and Post-Submission Papers. Absent express permission in advance, sur-reply papers, including correspondence, addressing the merits of a motion are not permitted, except that counsel may inform the court by letter of the citation of any post-submission court decision that is relevant to the pending issues, but there shall be no additional argument. Materials submitted in violation hereof will not be read or considered. Opposing counsel who receives a copy of materials submitted in violation of this Rule shall not respond in kind.

District / County	Justice	Part Specific Rule
7th		
	Rosenbaum	The notice of motion or order to show cause shall include a statement of the precise relief sought. All dispositive motions must include a copy of the pleadings. Exhibit tabs are required. If a document to be annexed to an affidavit or affirmation is voluminous and only discrete portions are relevant to the motion, counsel shall attach only the pertinent excerpts and submit the full exhibit separately. Memoranda of law shall not exceed fifteen (15) pages in length. Sur-replies and post-argument submissions are not allowed without advance express permission of the Court.
8th		
	Walker	Copies of all submissions for consideration by the Court (other than those relating to Orders to Show Cause - see below), shall be received by Chambers at least three (3) business days prior to the return date, and before 2:00 p.m. Reply submissions if any, must be received by Chambers at least one (1) business day prior to the return date, and before 2:00 p.m., and shall not re-iterate previous submissions. Cross-motions shall be governed by the CPLR, and the Court requires strict compliance with CPLR §2214(b). Except for applications for Orders to Show Cause, the originals of all submissions shall be filed with the office of the clerk of the county in which the matter is commenced/pending. Oral argument is expected on all cases, unless counsel notify Chambers of an agreement to the contrary prior to the return date. Discovery motions shall be accompanied by the affirmation of good faith required by 22 NYCRR § 202.7. Counsel shall refrain from citing case law in affidavits and/or affirmations. Only submissions served in accordance with the provisions of these rules will be considered in connection with any motion or cross-motion.
Kings		
	All Justice	Following argument and reservation of decision by the Court, no supplemental submissions will be accepted by letter or otherwise unless expressly authorized in advance. Uniform Rules, § 202.70(g), Rule 18.
	Solomon	Motion papers, answering affidavits and reply affidavits must be served on adversaries as per CPLR 2214.
Nassau		
	DeStefano	Motions are to be served and filed in conformity with CPLR 2214. In addition, the various branches of the motion as delineated in the Notice of Motion or Order To Show Cause are to be preceded by a number or letter which corresponds to a number or letter in the supporting affirmations and affidavits containing the numbered paragraphs dealing with the particular relief sought
	DeStefano	No sur-reply affidavit, affirmation, memorandum of law or letter will be accepted or considered by the Court without leave of the Court
New York		
	Sherwood	No additional papers on a motion will be accepted for filing after the submission date.
Queens		
	Hart	ALL MOTIONS NOTICED TO BE HEARD ARE RETURNABLE IN THE CENTRALIZED MOTION PART (CMP). All parties are required to comply with both the CMP Rules and the Part 18 Rules regarding "Motion Papers". The court may, in its discretion, consider motion papers submitted to the Part after motions have been marked "fully submitted" in CMP.
	Kitzes	Do not call the Part or Chambers for adjournments as NO ADJOURNMENTS WILL BE GRANTED ON THE TELEPHONE. The Court will not consider papers sent to Chambers or to the Part after submission.
Suffolk		
	Pines	Reply papers are not permitted, unless: (a) the right of reply is obtained by service of a notice of motion in accordance with CPLR 2214[b]; or (b) expressly permitted by the Court. Counsel may submit supplemental citations as allowed by Rule 18 of the Commercial Division Rules. Sur-reply papers, including papers in support of a cross-motion, are not permitted absent prior permission of the Court. Any unauthorized papers will not be read and will be discarded.
Westchester		

District / County	Justice	Part Specific Rule
	Jamieson	Motions are submitted without oral argument, unless otherwise directed by the Court. Sur-reply papers, including reply papers in support of a cross-motion, are not permitted, absent prior permission of the Court. Any unauthorized papers will not be read and will be discarded.
	Scheinkman	Reply papers are not permitted, unless: (a) the right of reply is obtained by service of a notice of motion in accordance with CPLR 2214[b]; or (b) expressly permitted by the Court. Counsel may submit supplemental citations as allowed by Rule 18 of the Commercial Division Rules. Sur-reply papers, including reply papers in support of a cross-motion, are not permitted, absent prior permission of the Court. Any unauthorized papers will not be read and will be discarded.

Rule 19. Orders to Show Cause. Motions shall be brought on by order to show cause only when there is genuine urgency (e.g., applications for provisional relief), a stay is required or a statute mandates so proceeding. See Rule 20. Absent advance permission, reply papers shall not be submitted on orders to show cause.

District / County	Justice	Part Specific Rule
Kings		
	All Justices	Orders to Show Cause are argued on the date indicated in the order unless otherwise adjourned with the consent of the court.
	Solomon	Proposed orders to show cause must be brought to the Ex Parte Motion Support Office for review prior to submission to the part. Fees as required by law must be paid to the County Clerk prior to submission.
Nassau		
	DeStefano	In the absence of an emergency, no Order to Show Cause will be heard after 2:00 P.M. All Orders to Show Cause will be heard the next day, at 9:30 A.M.
New York		
	Oing	Orders to Show Cause are returnable in Part 48 in the first instance. The Court will set forth a briefing schedule.
	Ramos	Opposing Papers on Orders to Show Cause are returnable directly to the Part, and must be submitted at least one day prior to oral argument on the application. In contrast, opposing/reply papers are returnable to Motion Support/Room 130.
	Sherwood	On a motion brought on by Order to Show Cause, papers shall be served in a manner that results in receipt by 5:00 p.m. on the date specified unless the court directs otherwise.
Queens		
	Hart	Orders to show cause must comply with Uniform Rule 202.7 (d) and be brought to the Ex Parte Support Office (Room 140) prior to judicial review, signature, and fixing of a return date. Appearance requirements for orders to show cause are the same as listed for all other motions.
	Kitzes	All motions and applications are to be submitted on papers only, except those relating to any phases of discovery and/or bills of particulars, including motions to strike or restore a case from trial calendar, which require personal appearance by counsel for all parties. If the application is an Order to Show Cause then all parties MUST appear (movant must submit Affidavit of Service to Part Clerk) on the return date. Counsel should be prepared to discuss and agree upon a discovery schedule.

Rule 19-a. Motions for Summary Judgment; Statements of Material Facts.

(a) Upon any motion for summary judgment, other than a motion made pursuant to CPLR 3213, the court may direct that there shall be annexed to the notice of motion a separate, short and concise statement, in numbered paragraphs, of the material facts as to which the moving party contends there is no genuine issue to be tried.

(b) In such a case, the papers opposing a motion for summary judgment shall include a correspondingly numbered paragraph responding to each numbered paragraph in the statement of the moving party and, if necessary, additional paragraphs containing a separate short and concise statement of the material facts as to which it is contended that there exists a genuine issue to be tried.

(c) Each numbered paragraph in the statement of material facts required to be served by the moving party will be deemed to be admitted for purposes of the motion unless specifically controverted by a correspondingly numbered paragraph in the statement required to be served by the opposing party.

(d) Each statement of material fact by the movant or opponent pursuant to subdivision (a) or (b), including each statement controverting any statement of material fact, must be followed by citation to evidence submitted in support of or in opposition to the motion.

District / County	Justice	Part Specific Rule
Kings		
	All Justices	Motions for Summary Judgment. All summary judgment motions shall be accompanied by a Statement of Material Facts as set forth in the Uniform Rules, § 202.70(g), Rule 19-a.
	Solomon	Summary judgment motions must be made within sixty (60) days of the filing of the note of issue.
Nassau		
	DeStefano	Upon any motion for summary judgment, other than a motion made pursuant to CPLR 3213, the parties shall comply with Rule 19-a of the Rules of the Commercial Division of the Supreme Court set forth at 22 NYCRR 202.70. This Part Rule makes the directive contained in Rule 19-a concerning the Statement of Material Facts mandatory unless otherwise directed by the court.
New York		
	Bransten	Rule 19-a Statements of Material Facts are required when moving for or opposing summary judgment.
	Friedman	Note re: Commercial Division Rule 19-a: In lieu of filing Rule 19-a statements with summary judgment motions, the parties shall confer prior to moving for summary judgment and submit with the motion(s) one joint statement of material facts that the parties agree are not in dispute.
	Friedman	Summary judgment motions shall be served 60 days after the filing of the Note of Issue unless the Court otherwise directs.
	Kornreich	In lieu of filing Commercial Rule 19-a statements with summary judgment motions, the parties shall confer prior to moving for summary judgment and submit with the motion(s) one joint statement of material facts that the parties agree are not in dispute.
	Oing	Affidavits/affirmations submitted in support of or in response to dispositive motions must be separate from any memoranda of law submitted in relation to the motion. Affidavits/ affirmations shall not include legal arguments. Memoranda of law submitted in support of or in response to dispositive motions must include a Table of Contents and a Table of Authorities.
	Ramos	Rule 19-A statements (Statements of Undisputed Facts) are required on all summary judgment motions.
	Ramos	Summary judgment motions must be initiated within 30 days after the filing the Note of Issue, unless otherwise directed.
	Scarpulla	Summary judgment motions must be filed within sixty (60) days of filing the note of issue.
	Scarpulla	In lieu of filing Commercial Rule 19-a statements with summary judgment motions, the parties shall confer prior to moving for summary judgment and submit with the motion(s) one joint statement of material facts that the parties agree are not in dispute.
	Sherwood	Note re: Rule 19-a: On all motions for summary judgment, other than CPLR § 3213 motions, there shall be annexed to the notice of motion a separate, short and concise statement, in numbered paragraphs, of the material facts as to which the moving party contends there are no genuine issues of fact to be tried.
	Sherwood	Dispositive Motions (Deadline) shall be initiated not later than 60 days after filing of the note of issue.
Suffolk		

District / County	Justice	Part Specific Rule
	Pines	All motions pursuant to CPLR 3211 and /or 3212 shall include, in outline form, a statement of the nature of each cause of action that is the subject of the motion and identifying each party seeking relief and the party against who relief is sought. Additionally, if the motion is made pursuant to CPLR 3211, the outline shall identify the specific subdivision(s) of CPLR 3211 relied upon by the movant with regard to each cause of action sought to be dismissed.
	Pines	All motions for summary judgment shall be accompanied by a Statement of Undisputed Facts Pursuant to Rule 19-a of the Commercial Rules. A motion for summary judgment which lacks such a statement may be rejected. All opposing papers must include a response to the Statement of Undisputed Facts.
Westchester		
	Jamieson	In lieu of filing Rule 19-a statements with summary judgment motions, the parties shall confer prior to moving for summary judgment, and submit with the motion(s) one joint statement of material facts that the parties agree are not in dispute.
	Scheinkman	All motions for summary judgment shall be accompanied by a Statement of Undisputed Facts Pursuant to Rule 19-a of the Commercial Division Rules. A motion for summary judgment which lacks such a statement may be rejected. All opposing papers must include a response to the Statement of Undisputed Facts.

Rule 20. Temporary Restraining Orders. Unless the moving party can demonstrate that there will be significant prejudice by reason of giving notice, a temporary restraining order will not be issued. The applicant must give notice to the opposing parties sufficient to permit them an opportunity to appear and contest the application.

District / County	Justice	Part Specific Rule
8th		
	Walker	Shall be issued on a case-by-case basis, and shall be on notice to opposing counsel, if known. TROs in cases assigned to another Judge shall be granted only upon approval by that Judge or his/her Law Clerk.
Kings		
	All Justices	Orders to Show Cause are argued on the date indicated in the order unless otherwise adjourned with the consent of the court.
	All Justices	Where no affidavit of prejudice has been provided pursuant to Uniform Rules, § 202.70(g), Rule 20, notice of applications for Temporary Restraining Orders contained in an Order to Show Cause must be given to opposing counsel, or parties if no attorney has previously appeared, at least six hours in advance of submission to the court and must contain a specific time and date of submission so as to afford an opportunity to appear. Proof of such notice (which may be by attorney's affirmation) must accompany the proposed Order.
	All Justices	Contested applications for TROs will not be heard after 4:00 p.m. absent extraordinarily compelling circumstances. [See Uniform Rules, § 202.70(g), Rule 20. Temporary Restraining Orders]
Nassau		
	DeStefano	Applications for temporary injunctive relief must be made in conformity with 22 NYCRR 202.7(f). In addition, the Court requires that the party seeking temporary injunctive relief give the opposing side 24 hours notice in advance of presentment of the Order to Show Cause to the court. Notice should be given by telephone, facsimile and/or e-mail, if practicable.
New York		
	Bransten	Absent compelling circumstances, all parties must be present when interim relief is sought.
	Oing	An OSC providing for temporary injunctive relief pending hearing of the OSC shall be made on notice unless an affirmation or affidavit sufficiently demonstrates that giving such notice would result in "significant prejudice" to the movant (22 NYCRR § 202.7(f); Commercial Division Rules, Rule 20).
	Scarpulla	Orders to Show Cause with requests for temporary restraining orders, including requests for a temporary stay of an action, will generally not be heard ex parte. See 22 NYCRR 202.7(f); 22 NYCRR 202.70, Rule 20.

Rule 21. Courtesy Copies. Courtesy copies should not be submitted unless requested or as herein provided. However, courtesy copies of all motion papers and proposed orders shall be submitted in cases in the court's Filing by Electronic Means System.

District / County	Justice	Part Specific Rule
7th		
	Rosenbaum	The Court is not presently set up for e-filing, though e-filing is expected to be implemented in the near future. Under present circumstances, all notices of motion and proposed orders to show cause must be filed with the Assignment Office. All other motion papers should be filed with the Assignment office as well. Counsel are advised, however, that because there may be a time lag between filing with the Assignment Office and receipt of the papers by the Part, papers should be filed as promptly as possible. While courtesy copies are not required, courtesy copies may be delivered to Chambers, a practice that is especially helpful with respect to papers being filed close to the return date. Courtesy copies may either be hand delivered to Chambers or sent via overnight delivery, provided that, if overnight delivery is used, the papers must be sent so as to be received by 10:00 a.m. on the day prior to the return date. While the courtesy copies will be read by chambers staff for the purpose of expediency, the Court will make no final determination on the papers until the originals are received from the Assignment Office.
8th		
	Walker	Copies of all submissions for consideration by the Court (other than those relating to Orders to Show Cause - see below), shall be received by Chambers at least three (3) business days prior to the return date, and before 2:00 p.m. Reply submissions if any, must be received by Chambers at least one (1) business day prior to the return date, and before 2:00 p.m., and shall not re-iterate previous submissions. Cross-motions shall be governed by the CPLR, and the Court requires strict compliance with CPLR §2214(b). Except for applications for Orders to Show Cause, the originals of all submissions shall be filed with the office of the clerk of the county in which the matter is commenced/pending. Oral argument is expected on all cases, unless counsel notify Chambers of an agreement to the contrary prior to the return date. Discovery motions shall be accompanied by the affirmation of good faith required by 22 NYCRR § 202.7. Counsel shall refrain from citing case law in affidavits and/or affirmations. Only submissions served in accordance with the provisions of these rules will be considered in connection with any motion or cross-motion.
Kings		
	All Justices	Courtesy copies should not be submitted unless requested or as herein provided. However, courtesy copies of all motion papers and proposed orders shall be submitted in cases in the court's Filing by Electronic Means Systems.
	Demarest	Courtesy copies of all motion papers and proposed orders shall be submitted in all E-filed cases.
	Demarest	All hard copies for E-filed matters should be submitted through the part clerk or to chambers directly.
	Demarest	All courtesy copies shall have the NYSCEF Confirmation Notice attached.
	Demarest	All motion papers and subsequent papers responding to the motion must be received at least two (2) business days before the motion is to be heard.
	Demarest	Courtesy copies shall have exhibits tabbed.
	Schmidt	Courtesy hard copies for e-filed matters should be submitted to the Judge's courtroom on the date of the argument.
	Solomon	A courtesy copy of all e-filed papers must be filed with the Part Clerk in the Courtroom.
	Solomon	No courtesy copies of motion papers are to be filed with Chambers or the Courtroom, unless the action is subject to e-filing. A courtesy copy of all e-filed papers must be filed with the Part Clerk in the Courtroom.
Nassau		
	DeStefano	The parties, or their attorneys, if represented, shall provide the court with copies of all pleadings served.
New York		
	Brantsen	Stipulations and other documents that are to be so-ordered must be provided in hard copy to the court.

District / County	Justice	Part Specific Rule
	Brantsen	The Part Clerk is unable to accept deliveries between 12:45 - 2:15 p.m. or after 4:30 p.m.
	Brantsen	Correspondence to the court must be e-filed, sent in hard copy to the Part 3 courtroom, Room 442, and sent to all parties. Letters, without exhibits, may also be faxed to the court's chambers, in addition to being e-filed. The Court's fax number is 212-374-1475.
	Brantsen	All courtesy copies submitted in connection with a motion must include the correct motion sequence number, be properly backed, and, where necessary, include proper bottom tabs.
	Brantsen	All submitted papers are to have an e-file confirmation sheet attached to the back of the document, over the litigation back and facing out.
	Brantsen	Courtesy copies of all e-filed papers and exhibits for motions returnable in Room 130, the Submissions Courtroom, must be delivered to Room 130. Courtesy copies for motions returnable in the Submissions Courtroom may not be accepted in the Part 3 courtroom absent prior permission from the court.
	Brantsen	Courtesy copies of e-filed opposition and reply papers and exhibits related to Orders to Show Cause must be delivered to the Part 3 courtroom, Room 442, between the hours of 9:30 a.m. - 12:45 p.m. and 2:15 p.m. - 4:30 p.m, by the date specified in the Order to Show Cause. Courtesy copies may not be accepted during the lunch recess or after 4:30 p.m. Extra copies of papers will not be accepted, and it is not necessary to submit courtesy copies of an Order to Show Cause that has been signed by Justice Brantsen.
	Friedman	Binding requirements for motions are discussed under Hard Copies, section 6 below.
	Friedman	All motions that are returnable in the Commercial Division Motion Support Office, Part 130 (Room 119A) must be e-filed. Two working copies of each paper must be filed with the Clerk of Part 130. Motions will not be marked submitted in Part 130 until working copies are filed. Additional copies of such papers should not be filed with the Clerk of Part 60.
	Friedman	All Orders to Show Cause that are returnable in Part 60 must be e-filed. Two working copies must be filed with the Clerk of the Part at least one week before the return date, unless the Order to Show Cause otherwise provides. Opposition papers and reply papers, if any, must be e-filed and two working copies must be filed with the Clerk of Part 60 as provided in the Order to Show Cause.
	Friedman	All other submissions to Part 60, including proposed orders and judgments, transcripts, stipulations, letters, and affidavits of service must be e-filed, and one working copy must be filed with the Clerk of Part 60.
	Friedman	All working copies that are submitted to the Court must be marked to reflect that they have previously been e-filed.
	Friedman	The motion sequence number and docket number of each e-filed motion paper must be indicated on the face of the working copy of such paper.
	Friedman	Binding of Motions: Affidavits and affirmations that contain any substantive argument and do not merely annex exhibits must be bound separately from the exhibits. Memoranda of law must be bound separately from other papers. Exhibits should be bound in volumes not to exceed approximately 1 to 1.5 inches in thickness, if practicable. Velo binding is preferred. Two-sided copies of depositions or other papers must be bound on the left.
	Friedman	Where the Court directs a party or parties to order a transcript of an oral argument of a motion, the motion will not be marked submitted until the transcript is e-filed and a hard copy is filed with the Clerk of Part 60. If the Court also directs the parties to file an errata sheet with the transcript, the motion will not be marked submitted until the transcript and errata sheet are efiled and a hard copy of each is filed with said Clerk.
	Friedman	Where the Court decides a motion on the record, the movant or prevailing party shall promptly e-file the transcript and file a hard copy with the Clerk of Part 60. The transcript will be so ordered only after the hard copy is filed.
	Friedman	Letters may not exceed three (3) pages in length. Letters that exceed such length will not be considered by the Court. Any authorized letter must reference all related cases pending before Part 60. Any authorized letter also must be e-filed and a working copy, showing that it has been e-filed, must be filed with the Clerk of Part 60.

District / County	Justice	Part Specific Rule
	Kornreich	All cases in Part 54 must be electronically filed through the New York State Courts E-filing (NYSCEF) system, except those cases involving pro se litigants. All submissions to the Court (including briefs, proposed Orders and Judgments, and letters) should be electronically filed and a courtesy copy of the e-filed document, together with a NYSCEF confirmation notice, shall be delivered to the court. For NYSCEF instructions, contact the E-filing Support Center at (646) 386-3033 or www.courts.state.ny.us/efile , or see the Commercial Division's website for New York County at: http://www.nycourts.gov/courts/comdiv/newyork.shtml .
	Kornreich	In addition to electronically filing motion papers, hard copies of all e-filed papers and exhibits for motions returnable in the Motion Support Office, Room 130, must be delivered to Room 130. Extra courtesy copies of papers will not be accepted.
	Oing	<p>Rule 14: If, after meeting and conferring in good faith, counsel are unable to resolve a dispute about disclosure, the aggrieved party shall outline the issue in a letter to the Court, on notice to opposing counsel, who will be expected to submit a letter in response. No further correspondence is permitted.</p> <p>In addition to e-filing such correspondence, counsel shall deliver a hard copy of the correspondence to Part 48.</p> <p>Once letters from all parties have been received, the Court will contact counsel to schedule a discovery conference.</p>
	Oing	All e-filed papers that require judicial review and approval shall be delivered, by mail or hand-delivery, directly to Part 48, 60 Centre Street, Room 242. They are not to be delivered by facsimile or e-mail unless expressly permitted by the Court. The Court does not require courtesy copies of the pleadings.
	Oing	For motions, at the conclusion of oral argument, the movant shall order the transcript and bear the cost. The transcript shall be delivered to Part 48, Room 242, with a cover letter setting forth the case name, index number, and motion sequence no., to be so ordered by the Court. Counsel shall e-file the transcript.
	Oing	In addition to electronically filing motion papers, counsel shall submit a hard copy set of all papers related to any motion to the Motion Submissions Part in Room 130 on the return date. All hard copies of e-filed documents intended for judicial review must include exhibit tabs and backs. Courtesy copies are not required.
	Ramos	Any document requiring the Judge's signature (e.g. proposed/settled orders, stipulations or transcripts to be "so ordered") shall be E-filed AND provided to the Court in hard-copy form.
	Ramos	<p>Courtesy Copies (a.k.a. "Working Papers," "Originals," "Duplicate Originals"):</p> <p>(1) Counsel shall submit courtesy copies to the E-Filing office ONLY (NOT TO THE PART OR CHAMBERS) pursuant to the E-filing rules, on the return date of the motion (see #4 above). These courtesy copies shall be in the identical form that motion papers in non-E-Filed cases are submitted to the Part 53, and shall include: original signatures, exhibit tabs, notaries, proofs of service, and all exhibits without redaction.</p> <p>(2) Upon the Court's disposition of the motion, ALL original motion papers in an E-filed action will be discarded, UNLESS counsel affixes a legend on the face of the motion papers requesting that they not be discarded. Counsel shall have 30 days from the date of entry of the disposition of the motion to retrieve the original motion papers from Part 53, or they will be discarded.</p>
	Scarpulla	The Part Clerk is unable to accept deliveries between 1:00 and 2:00 p.m. or after 4:30pm.
	Scarpulla	<p>Part 39 does not require submission of working copies. Please do not send courtesy copies of any documents that were e-filed, with the following exceptions:</p> <p>a. Documents requiring Justice Scarpulla's signature, including proposed orders and stipulations, shall be e-filed, AND sent to Justice Scarpulla by either mail or facsimile (e.g., proposed/settled orders, stipulations, or transcripts to be so ordered).</p> <p>b. Documents that are filed under seal.</p>

District / County	Justice	Part Specific Rule
	Scarpulla	All Court approved stipulations to adjourn must be electronically filed by the parties and delivered to the Court by facsimile.
	Sherwood	Electronic Filing, Courtesy Copies and Notifications. In accordance with §202.5-bb(a) of the Uniform Rules of the Trial Courts, all documents filed and served (including letters) shall be electronically filed. All briefs shall be filed as text-searchable PDF documents. In addition, an unredacted hard copy set of all papers related to any motion shall be submitted to the Motion Submission Part in Room 130. Do not submit courtesy copies. A courtesy copy of every non-motion related document should be delivered by mail or hand-delivered directly to Part 49 together with the e-filing confirmation notice. See also ¶14G, below. For NYSCEF training, consult the "Training link on the NYSCEF website (www.nycourts.gov/efile). For assistance, contact the E-Filing Department, 60 Centre Street, Room 119A, New York, New York 10007, (646-386-3610 or at nyef@nycourts.gov).
	Sherwood	Transcripts. Unless the court directs otherwise, on any motion the movant shall order the transcript of oral argument. The parties are responsible for both e-filing the transcript and submitting a hard copy to Part 49. No motion will not be deemed sub judice until a transcript is received.
	Sherwood	Courtesy Copy, Memoranda, Statements and Proposed Orders on Computer Disk. On the submission date on any dispositive motion or motion for interim relief, unredacted versions of all memoranda of law, statements of undisputed facts and proposed orders shall be submitted in .rtf format on a computer disk along with the hard copies provided for in ¶3, above.
Onondaga		
	Karalunas	Attorneys must supply the Court with paper copies of all motions, pleadings or other documents that are electronically filed. No other courtesy copies will be accepted.
Queens		
	Grays	Any party who files a motion and/or opposition thereto pursuant to the NYS Courts Electronic Filing ("E-filing") shall provide this Court with working copies of the documents filed electronically, which shall be submitted to the CMP Clerk on the first noticed return date of the motion. Each working copy shall include, firmly affixed thereto, a copy of the Confirmation Notice received from the NYSCEF site upon the electronic filing of such document (22 NYCRR §202.5-b(d)(3)(ii)). FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION MAY RESULT IN REJECTION/DENIAL OF THE OFFENDING SUBMISSION.
	Hart	For all electronically filed applications/responsive papers, including exhibits and memoranda of law, a hard copy must be submitted to the Part 18 Clerk in Courtroom 41 within three (3) business days of judicial assignment. Failure to comply with this requirement will result in the application being marked off, or, in the case of responsive papers, the application will be considered unopposed.
	Hart	Any party who files a motion and/or opposition thereto pursuant to the NYS Courts Electronic Filing ("E-Filing") shall provide this Court with working copies of the documents filed electronically, which shall be submitted to the CMP Clerk on the first noticed return date of the motion. Each working copy shall include, firmly affixed thereto, a copy of the Confirmation Notice received from the NYSCEF site upon the electronic filing of such document (22 NYCRR § 202.5-b(d)(3)(ii)).
	Hart	The motion will be heard for all purposes in the Part on the rescheduled date. On that date, the motion will either be orally argued, conferenced by Justice Hart or his designee, or otherwise treated pursuant to the discretion of the Justice. (Rulings on applications will also be made at this time.) Courtesy copies of moving papers need not be provided.
	Kitzes	The motion calendar will be called every WEDNESDAY at 9:30 a.m. promptly. A second call will follow immediately thereafter. No courtesy copies to chambers are required EXCEPT IN THE CASE OF E-FILED MOTIONS.
	Kitzes	Electronic filing is available for filing legal papers with this Court. Parties interested in electronic filing should read the materials set forth at www.nycourts.gov/efile . The rules and User's Manual for electronic filing are available on this web site. Courtesy copies to chambers are required IN THE CASE OF E-FILED MOTIONS

District / County	Justice	Part Specific Rule
	Ritholtz	Any party who files a motion and/or opposition thereto pursuant to the NYS Courts Electronic Filing (“E-filing”), shall provide the Court with working copies of the documents filed electronically, which shall be submitted to the CMP Clerk on the first noticed return date of the motion.
Suffolk		
	Emerson	For electronically filed motions, a courtesy copy of all papers in support of and in opposition to the motion, properly backed with exhibit tabs, must be submitted to chambers by the party making the motion. The failure to follow the E-Filing Protocol or to submit courtesy copies may result in an adjournment of the motion or rejection of the papers in the Court’s sole discretion.
	Pines	Pursuant to Uniform Rules for Trial Courts § 202.5-b(d)(4), the Court requires the parties to provide working copies to chambers of the following documents within seven (7) days after they have been filed electronically: all motion submissions, proposed orders/judgments, ex-parte applications, and proposed stipulations requested to be so-ordered. Pursuant to Uniform Rules for Trial Courts § 202.5-b(d)(4), all working copies submitted to chambers shall include, as a cover page firmly fastened thereto, a copy of the confirmation notice received from the NYSECF site upon the electronic filing of such document. Working copies without the confirmation notice will not be accepted.
Westchester		
	Jamieson	E-filing rules provide that a court may require the submission of “working copies” of any electronically filed documents intended for judicial review. A working copy is defined as “a hard copy that is an exact copy of a document that is electronically filed.” The Commercial Division, Westchester County, requires that working (courtesy) copies of all papers filed electronically be mailed to Chambers. Pursuant to Uniform Rule 202.5-b(d)(4), the working copy shall bear a copy of the confirmation notice received from the NYSCEF site upon the electronic filing of the document, as a page firmly fastened to the back of the document.
	Jamieson	<p>Hard copies not bearing such a page shall be discarded, unread. All working copies of e-filed documents intended for judicial review must include exhibit tabs and litigation backs.</p> <p>Working copies of all documents, except stipulations to be so-ordered, are to be mailed or hand-delivered so as to be received by Chambers by the return date or notice of settlement date.</p> <p>WORKING COPIES OF STIPULATIONS TO BE SO-ORDERED (INCLUDING REQUESTS FOR ADJOURNMENT) MUST BE RECEIVED BY CHAMBERS 48 HOURS BEFORE THE EXISTING SCHEDULED DATE. IF THIS CAN NOT BE ACHIEVED, COUNSEL ARE TO CALL OUR PART CLERK.</p>
	Jamieson	This Part will reject any hard copy submissions in e-filed cases unless those submissions bear the Cover Sheet for Hard Copy Submission – E-Filed Case required by Uniform Rule § 202.5-b(d)(1). The form is available at www.nycourts.gov/efile .
	Scheinkman	<p>E-filing rules provide that a court may require the submission of “working copies” of any electronically filed documents intended for judicial review. A working copy is defined as “a hard copy that is an exact copy of a document that is electronically filed.”</p> <p>The Commercial Division, Westchester County, requires that working (courtesy) copies of all papers filed electronically be mailed to Chambers. Pursuant to Uniform Rule 202.5-b(d)(4), the working copy shall bear as a cover page firmly fastened thereto a copy of the confirmation notice received from the NYSCEF site upon the electronic filing of the document. Hard copies not bearing such cover page shall be discarded, unread. All working copies of efiled documents intended for judicial review must include exhibit tabs and backs.</p>

District / County	Justice	Part Specific Rule
	Scheinkman	<p>For matters on submission only, working copies of all documents, except stipulations to be so-ordered, are to be mailed or hand delivered so as to be received by Chambers by the return date or notice of settlement date. If an appearance is scheduled on the return date, working copies must be received in Chambers by 3:00 pm the day before.</p> <p>WORKING COPIES OF STIPULATIONS TO BE SO-ORDERED (INCLUDING REQUESTS FOR ADJOURNMENT) MUST BE RECEIVED BY CHAMBERS 48 HOURS BEFORE THE EXISTING SCHEDULED DATE. IF THIS CAN NOT BE ACHIEVED, COUNSEL ARE TO CALL OUR PART CLERK AT (914) 824-5348.</p>

Rule 22. Oral Argument. Any party may request oral argument on the face of its papers or in an accompanying letter. Except in cases before justices who require oral argument on all motions, the court will determine, on a case-by-case basis, whether oral argument will be heard and, if so, when counsel shall appear. Notice of the date selected by the court shall be given, if practicable, at least 14 days before the scheduled oral argument. At that time, counsel shall be prepared to argue the motion, discuss resolution of the issue(s) presented and/or schedule a trial or hearing.

District / County	Justice	Part Specific Rule
7th		
	Rosenbaum	Oral argument is anticipated but counsel may stipulate to submit on papers. Appearance on motions by telephone will not be permitted.
8th		
	Walker	Copies of all submissions for consideration by the Court (other than those relating to Orders to Show Cause - see below), shall be received by Chambers at least three (3) business days prior to the return date, and before 2:00 p.m. Reply submissions if any, must be received by Chambers at least one (1) business day prior to the return date, and before 2:00 p.m., and shall not re-iterate previous submissions. Cross-motions shall be governed by the CPLR, and the Court requires strict compliance with CPLR §2214(b). Except for applications for Orders to Show Cause, the originals of all submissions shall be filed with the office of the clerk of the county in which the matter is commenced/pending. Oral argument is expected on all cases, unless counsel notify Chambers of an agreement to the contrary prior to the return date. Discovery motions shall be accompanied by the affirmation of good faith required by 22 NYCRR § 202.7. Counsel shall refrain from citing case law in affidavits and/or affirmations. Only submissions served in accordance with the provisions of these rules will be considered in connection with any motion or cross-motion.
Kings		
	All Justices	The Court will entertain motions, as scheduled in the New York Law Journal and on E-Courts, on Wednesdays unless otherwise directed by the Court. Information on future court appearances is available on E-Courts (www.nycourts.gov/ecourts). All motions require appearances and oral argument. All responsive papers must be filed with the Motion Support Office or the Clerk of the Part at least two days before the scheduled date of the motion.
	Solomon	Motions on in Commercial Part 10 will be called and heard in connection with the Part 38 motion calendar (see above) on Thursdays at 9:45 A.M. and 10:45 A.M. Counsels wishing to have a time slot for their motion to be heard should contact chambers at least 48 hours prior to the Calendar call.
	Solomon	Motions shall be heard every Thursday in Room 424, in 360 Adams Street. The calendar call is at 9:45 A.M. promptly. The Second Call is at 10:45 A.M. promptly. There is no check in procedure for the part. Motions that have not been previously adjourned or appropriately answered on the call, may be marked off, or a default may be entered, as appropriate. Counsels are advised that if a motion has been marked ready on the second call and no one appears to argue the motion when it is called to be heard, default may be taken against the party that answered ready and then failed to appear.
	Solomon	All motions require appearances and oral arguments.
Nassau		
	DeStefano	Appearances of all Counsel are required on all motions unless waived by the Court
New York		
	Bransten	At the conclusion of oral argument, the movant is to order the transcript and have a copy sent to the Court, delivered to the Part 3 Clerk, Room 442. The motion(s) will not be marked submitted for consideration until a transcript has been received.
	Friedman	Oral argument must be requested on the face of the Notice of Motion or, if not so requested, on the face of the answering papers. Letter requests for oral argument should not be made.
	Oing	Motions returnable in the Motion Submissions Part, Room 130, and assigned to the Part, will be scheduled at the Court's discretion for oral argument. Notice of such argument will be transmitted to counsel by the Court.
	Ramos	MOTIONS WILL NOT BE SCHEDULED FOR ORAL ARGUMENT UNTIL PART 53 HAS A COMPLETE SET OF ALL MOTION PAPERS. In light of recent changes in the E-filing office, Part 53 will not schedule newly filed motions for oral argument unless and until all parties to the motion have submitted "Working Copies" in hard copy form to the E-filing office (SEE Rule #13 regarding E-filing).
	Ramos	Oral argument is required on all motions except motions to reargue.
	Scarpulla	Oral Argument on Motions: Tuesday, Wednesday, and Thursday morning (as scheduled by the Court)

District / County	Justice	Part Specific Rule
	Scarpulla	Motions with opposition will be scheduled for oral argument for a Tuesday, Wednesday, or Thursday morning after the final appearance in the Submission Part (Room 130).
	Sherwood	Oral Argument. No argument will be heard on the motion submission date. If thereafter, the court determines that oral argument should be heard, the court will notify counsel. See ¶18 re: transcript of oral argument.
Onondaga		
	Karalunas	Oral argument is required on all motions. Absent prior permission of Chambers, all motions must be filed and served a minimum of 28 days before oral argument and opposing papers and any cross-motions must be filed and served a minimum of 14 days before oral argument. Reply papers, if any, and papers in opposition to any cross-motions are due seven days before oral arguments.
Queens		
	Hart	All initial motions filed and accepted in the CMP and assigned to Justice Hart shall be heard in Part 18 on a rescheduled date. That rescheduled date, which will be on a Wednesday at 9:30 A.M., is specified in the New York Law Journal publication of IAS assignments which appears in the Law Journal on the day after the original return date of the motion, or as soon as practicable thereafter.
	Hart	Rescheduled motion day, Wednesday at 9:30 AM. Unless otherwise directed by Justice Hart, all motions shall be heard in Part 18, Room 41, on the above specified day and time of the week and subject to the following procedures.
	Hart	The motion will be heard for all purposes in the Part on the rescheduled date. On that date, the motion will either be orally argued, conferenced by Justice Hart or his designee, or otherwise treated pursuant to the discretion of the Justice. (Rulings on applications will also be made at this time.) Courtesy copies of moving papers need not be provided.
	Hart	Mandatory appearance is required for counsel for all parties and pro se litigants on all dates, unless otherwise directed by Justice Hart or his designee. Adjournments may be sought only by application to Justice Hart in open court and not by consent of counsel. Service representatives and non-attorneys will not be permitted to make applications. A preliminary conference order may issue in full or partial disposition of the motion and/or cross motion.
	Kitzes	All motions and applications are to be submitted on papers only, except those relating to any phases of discovery and/or bills of particulars, including motions to strike or restore a case from trial calendar, which require personal appearance by counsel for all parties. If the application is an Order to Show Cause then all parties MUST appear (movant must submit Affidavit of Service to Part Clerk) on the return date. Counsel should be prepared to discuss and agree upon a discovery schedule.
	Kitzes	Oral argument will be entertained only in the Court's discretion.
Suffolk		
	Emerson	The Court will notify the parties if oral argument is required after papers in support of and in opposition to the motion have been submitted. If oral argument is held, at its conclusion the movant is to order the transcript and have a copy sent to the Court. The motion will not be deemed sub judice until a transcript has been received.
	Pines	Motions are submitted without oral argument, unless otherwise directed by the Court.
Westchester		
	Jamieson	Motions are submitted without oral argument, unless otherwise directed by the Court. Sur-reply papers, including reply papers in support of a cross-motion, are not permitted, absent prior permission of the Court. Any unauthorized papers will not be read and will be discarded.
	Scheinkman	Motions are submitted without oral argument, unless otherwise directed by the Court.

Rule 23. 60-Day Rule. If 60 days have elapsed after a motion has been finally submitted or oral argument held, whichever was later, and no decision has been issued by the court, counsel for the movant shall send the court a letter alerting it to this fact with copies to all parties to the motion.

District / County	Justice	Part Specific Rule

(d) Upon review of the motion notice letter, the court will schedule a telephone or in-court conference with counsel. Counsel fully familiar with the matter and with authority to bind their client must be available to participate in the conference. The unavailability of counsel for the scheduled conference, except for good cause shown, may result in granting of the application without opposition and/or the imposition of sanctions.

(e) If the matter can be resolved during the conference, an order consistent with such resolution may be issued or counsel will be directed to forward a letter confirming the resolution to be "so ordered." At the discretion of the court, the conference may be held on the record.

(f) If the matter cannot be resolved, the parties shall set a briefing schedule for the motion which shall be approved by the court. Except for good cause shown, the failure to comply with the briefing schedule may result in the submission of the motion unopposed or the dismissal of the motion, as may be appropriate.

(g) On the face of all notices of motion and orders to show cause, there shall be a statement that there has been compliance with this rule.

(h) Where a motion must be made within a certain time pursuant to the CPLR, the submission of a motion notice letter, as provided in subdivision (a), within the prescribed time shall be deemed the timely making of the motion. This subdivision shall not be construed to extend any jurisdictional limitations period.

District / County	Justice	Part Specific Rule
Kings		
	All Justices	Disclosure Disputes. Parties must comply with Uniform Rules, § 202.70(g), Rule 14, regarding consultation among counsel prior to contacting the Court. If counsel are unable to resolve a dispute, the party seeking Court intervention shall send a letter to the Court, of no more than two pages, upon notice to all parties, describing the problem and the relief requested. Such letter may be answered within eight days by letter of no more than two pages, also on notice to all parties. The party requesting relief shall then contact Chambers to arrange a conference (preferably by telephone) to resolve such dispute. If no effort is made by counsel to schedule such conference, the Court will infer that the matter has been resolved and will take no action. The Court may order that a motion be made but no discovery motion will be entertained without prior compliance with this Rule.
Nassau		
	DeStefano	Prior to making or filing any motions, counsel for the moving party MUST arrange for a conference call to be held with his/her adversary and the Court to discuss the issues involved and the possible resolution thereof. Counsel fully familiar with the matter and with authority to bind their clients MUST be available to participate in the conference. If the matter can be resolved during the conference, an order consistent with such resolution may be issued. This rule does not apply to applications for counsel to be relieved.
	DeStefano	The Court will not consider a sanctions application unless the moving party first seeks withdrawal or discontinuation of the offending act or action or demands required or necessary action which is refused. Proof of such request must be made a part of the sanctions application
New York		
	Bransten	With respect to Commercial Division Rule 24(c), counsel is only required to advise the Court prior to making a discovery motion. Before contacting the Court, "counsel must consult with one another in a good faith effort to resolve all disputes about disclosure" (see Rule 14).
	Oing	Counsel do not need to obtain Court permission to make non-discovery motions.
	Ramos	Except for discovery motions, no prior permission is required before making a motion. Commercial Division Rule 24 letters are NOT required in Part 53.
	Ramos	No party shall send a letter to Chambers pertaining to a discovery or other dispute without first calling the adversary and having a "meet and confer" on the issue. If the parties are unable to resolve the issue, call Chambers for a conference. A party may send correspondence e-mail at RCE53@courts.state.ny.us, fax at 212-401-9057, hand delivery, U.S. mail or overnight delivery to Chambers, but not by more than one method of delivery.

District / County	Justice	Part Specific Rule
	Scarpulla	Except for discovery motions, no prior permission is required before making a motion. Commercial Division Rule 24 letters are NOT required in Part 39.
Queens		
	Hart	Prior notice to chambers are not required to bring a motion in IAS Part 18. Counsel shall not call Chambers to check on the status of any motion.
	Ritholtz	Not ONLY disclosure disputes, but any issues, including dispositive and substantive ones, must be addressed by a telephone or in-person conference, in accordance with 22NYCRR202.70, Rule 24(a), as a pre-motion conference, so as to afford the Court the opportunity to resolve these issues before motion practice ensues. If the matter cannot be resolved, the Court shall set forth a strict briefing schedule for the service of moving and opposing papers.
Suffolk		
	Emerson	All dispositive motions require a pre-motion conference with the Court. Counsel must send a letter to the Court, on notice to all adversaries, requesting a pre-motion conference be scheduled.
	Emerson	<p>After compliance with Rule 14 of the Commercial Division Rules whereby counsel have consulted with one another in a good faith effort to resolve all disputes, the parties may make a written request for a conference with the Court.</p> <p>Discovery disputes should first be addressed through a court conference prior to the filing of a motion. If the Court is unable to resolve the dispute through a conference, then leave will be given for the parties to file the appropriate motion. The failure to abide by this rule may result in a motion being held in abeyance until the Court has an opportunity to conference the matter.</p>
	Pines	No motion shall be made, except as allowed by Rule 24 of the Commercial Division Rules, without a prior conference with the Court, which conference may be obtained either by conference call or, upon obtaining permission from Chambers, the submission of a brief letter application, not exceeding 1 page in length. At the conference the Court will set a schedule for making the motion, opposing it, and, if applicable, for reply.
	Pines	With respect to cases already assigned to this Court at the time that a discovery dispute arises, no motion with respect to the dispute shall be made without a prior conference with the Court, which may be obtained by submission of a letter application, not exceeding one (1) page in length. Counsel must obtain permission from Chambers prior to the submission of such letter application.
	Pines	With respect to cases in which a discovery motion accompanies the Request for Judicial Intervention which leads to the assignment to this Court, no opposition papers shall be served until there has been a prior conference with the Court, which may be obtained by letter application, not exceeding one (1) page in length. The application for a discovery conference may be made by the movant or by the opposing counsel; however, the application must be made within eight (8) days of service of the motion. Counsel must obtain permission from Chambers prior to the submission of a letter application. Failure to request a discovery conference may result in the denial of the motion.
	Pines	The Court endeavors to resolve discovery disputes promptly, usually by conference, which may be held telephonically or in person. In the event that the dispute is not resolved, the Court will set an expedited briefing schedule. Counsel shall, prior to requesting a conference, meet in person to discuss the issues and endeavor to resolve or limit them, prior to seeking judicial intervention.
Westchester		
	Jamieson	No motion shall be made, except as allowed by Rule 24 of the Commercial Division Rules, without a prior conference with the Court, which conference may be obtained either by conference call or, upon obtaining permission from chambers, the submission of a brief letter application, not exceeding 1 page in length. At the conference, the Court will set a schedule for making the motion, opposing it, and, if applicable, for reply. Motions are to be returnable on Fridays. Motions made returnable at any other time, absent prior permission of the Court, will be adjourned by the Part Clerk to the next available Friday.

District / County	Justice	Part Specific Rule
	Scheinkman	No motion shall be made, except as allowed by Rule 24 of the Commercial Division Rules, without a prior conference with the Court, which conference may be obtained either by conference call or, upon obtaining permission from chambers, the submittal of a brief letter application, not exceeding 1 page in length. At the conference, the Court will set a schedule for making the motion, opposing it, and, if applicable, for reply.

Rule 25. Trial Schedule. Counsel are expected to be ready to proceed either to select a jury or to begin presentation of proof on the scheduled trial date. Once a trial date is set, counsel shall immediately determine the availability of witnesses. If, for any reason, counsel are not prepared to proceed on the scheduled date, the court is to be notified within ten days of the date on which counsel are given the trial date or, in extraordinary circumstances, as soon as reasonably practicable. Failure of counsel to provide such notification will be deemed a waiver of any application to adjourn the trial because of the unavailability of a witness. Witnesses are to be scheduled so that trials proceed without interruption. Trials shall commence each court day promptly at such times as the court directs. Failure of counsel to attend the trial at the time scheduled without good cause shall constitute a waiver of the right of that attorney and his or her client to participate in the trial for the period of counsel's absence. There shall be no adjournment of a trial except for good cause shown. With respect to trials scheduled more than 60 days in advance, section 125.1(g) of the Rules of the Chief Administrator shall apply and the actual engagement of trial counsel in another matter will not be recognized as an acceptable basis for an adjournment of the trial.

District / County	Justice	Part Specific Rule
7th		
	Rosenbaum	Trial dates are provided at pre-trial conferences conducted after the Note of Issue and Statement of Readiness has been filed. Court adheres strictly to its trial schedule and adjournments are discouraged. Marked pleadings, requests to charge, proposed verdict sheets and papers for motions in limine required ten (10) days prior to beginning of jury selection or trial.
8th		
	Walker	The Court adheres strictly to jury selection and trial schedules. Marked pleadings, requests to charge, witness lists, and proposed verdict sheets shall be submitted to Chambers (after consultation with opposing counsel, so as to narrow issues and limit redundancy) two (2) weeks prior to commencement of jury selection. Motions in limine shall be filed and served so as to be heard prior to commencement of jury selection. A conference with Chambers shall be held upon completion of jury selection. A final charging conference shall be held prior to summations. Deadline for expert disclosure, absent good cause shown, is thirty (30) days prior to the scheduled commencement date of jury selection.
Kings		
	All Justices	A firm trial date will be established at a final settlement conference to be held at the conclusion of discovery. The Court may direct the parties to appear at such conference.
	Solomon	No electronic media devices will be permitted absent express permission from the Court. Request should be made to the Court in writing and the reasons for the request must be clearly stated.
	Solomon	All materials used during the trial must be removed within 48 hours of the conclusion of the trial. All materials not timely removed will be discarded.
Nassau		
	DeStefano	Rules applicable to the conduct of trials are contained in 22 NYCRR 202.25 and are supplemented by the attached Trial Rules.
	DeStefano	CONFERENCES/TRIAL - If there are any outstanding motions (submitted or pending) at the time of the conference/trial the Law Secretary and/or Judge must be so informed of same that day; the submission date must be provided by counsel. Copies of such motions should be available to the Court at the time of such conference
New York		
	Bransten	No adjournments of the trial date will be granted absent exceptional circumstances. Requests for an adjournment must be made in writing to the Court and not by phone call to the Clerk of the Part.
	Bransten	No electronic media devices will be permitted absent express permission from the Court. Requests should be made to the Court in writing and the reasons for the request must be clearly stated.
	Bransten	All materials used during the trial must be removed within 48 hours of the conclusion of trial. All materials not timely removed will be discarded
	Friedman	Parties must obtain Court permission to adjourn any Court appearance. Absent an emergency, such permission must be obtained no later than two (2) business days in advance of a scheduled conference and no later than three (3) business days in advance of an oral argument. Adjournments of trial dates are governed by Commercial Division Rule 25.
	Friedman	Requests for subsequent adjournments of conferences and for adjournments of oral arguments and trial dates should be made by conference call, with all appearing parties, to Chambers.

District / County	Justice	Part Specific Rule
	Oing	All adjournments (motions, conferences, trials) require prior Court approval. Requests for adjournments, in the first instance, shall be directed to the Part Clerk at 646-386-3265. Do not telephone Chambers.
	Oing	Where all parties consent to the adjournment, the requesting counsel shall deliver such stipulation by facsimile to 212-952-6553, and shall be responsible for e-filing the stipulation.
	Oing	Adjournment applications and stipulations shall be made at least 24 hours in advance of the scheduled Court appearance. Applications made in contravention of this rule may be declined.
	Oing	A Court approved adjournment shall be reduced to a written stipulation prepared by the requesting counsel and must be signed by all counsel. If applicable, the stipulation shall set forth a briefing schedule. The requesting counsel shall deliver the stipulation to Part 48 by facsimile to 212-952-6553, and shall be responsible for e-filing the stipulation.
	Oing	Trials are scheduled for a date certain. There shall be no adjournment of a trial unless counsel demonstrates good cause. Further, no continuance will be granted if a witness is unavailable to testify unless counsel demonstrates good cause.
	Oing	No electronic media devices will be permitted unless expressly permitted by the Court. Applications should be made to the Court in writing and the reasons for the request must be clearly stated.
	Oing	All materials used during the trial must be removed within 48 hours of the conclusion of trial. All materials not timely removed will be discarded.
	Ramos	Foreign Translator: Where a translator is needed, counsel shall notify the Part Clerk at least one week prior to the commencement of trial.
	Ramos	Confirmation of Trial Date: Counsel shall notify the Part Clerk two (2) business days prior to the commencement of the trial to confirm that the trial is going forward, as scheduled. Applications for adjournments will not be entertained absent exigent circumstances, and shall be directed to the Court no later than one week prior to the commencement of trial.
	Ramos	Provide Information to the Court Reporter: The morning/afternoon that the trial is set to begin, parties shall provide a copy of the witness lists including their contact information, a glossary of names, and any unusual words and/or acronyms that they anticipate to be using during the trial to the court reporter.
	Ramos	Discarding of Trial Materials: All trial materials must be removed from the courtroom within 48 hours of the conclusion of trial, or they will be discarded.
	Scarpulla	All adjournments (motions, conferences, trials) require prior court approval. Ex parte applications for adjournments will not be considered.
	Scarpulla	To adjourn a hearing or trial, all parties must contact the Part Clerk at 646-386-3275 on a conference call with all parties on the line. Applications for adjournments shall be made at least 48 hours in advance of the scheduled hearing or trial.
	Scarpulla	It is the duty of counsel, not court personnel, to make sure all subpoenaed documents have arrived in the subpoenaed records room at 60 Centre Street. Court personnel may only retrieve records from 60 Centre when not needed in the Courtroom.
Scarpulla	All requests to set up audiovisual equipment in the Courtroom shall be directed to the Part Clerk in Part 39 at 646-386-3275.	
Queens		
	Grays	The trial will be conducted on a continual daily basis until conclusion.
	Grays	No adjournments or delays during trial will be allowed unless exigent circumstances exist.
	Grays	Counsel are reminded that for all Commercial Division cases, the parties shall comply with the relevant pre-trial conference and trial rules as required by 22NYCRR §202.70.
	Hart	Matters assigned to this Part will be tried, to the extent possible, in chronological order. Trial dates will be set as far in advance as practicable.
Suffolk		
	Emerson	No electronic media devices will be permitted absent express permission from the Court. Requests should be made to the Court in writing, addressed to the Clerk of the Part, and the reasons for the request must be clearly stated.
	Emerson	No adjournments of the trial date will be granted absent exceptional circumstances. All requests must be made in writing to the Court and not by a telephone call to the Clerk of the Part.
	Emerson	All materials used during the trial must be removed within 48 hours of the conclusion of trial. Any materials not timely removed will be discarded.

Rule 26. Estimated Length of Trial. At least ten days prior to trial or such other time as the court may set, the parties, after considering the expected testimony of and, if necessary, consulting with their witnesses, shall furnish the court with a realistic estimate of the length of the trial.

District / County	Justice	Part Specific Rule
New York		

Rule 27. Motions in Limine. The parties shall make all motions in limine no later than ten days prior to the scheduled pre-trial conference date, and the motions shall be returnable on the date of the pre-trial conference, unless otherwise directed by the court.

District / County	Justice	Part Specific Rule
7th		
	Rosenbaum	Trial dates are provided at pre-trial conferences conducted after the Note of Issue and Statement of Readiness has been filed. Court adheres strictly to its trial schedule and adjournments are discouraged. Marked pleadings, requests to charge, proposed verdict sheets and papers for motions in limine required ten (10) days prior to beginning of jury selection or trial.
8th		
	Walker	The Court adheres strictly to jury selection and trial schedules. Marked pleadings, requests to charge, witness lists, and proposed verdict sheets shall be submitted to Chambers (after consultation with opposing counsel, so as to narrow issues and limit redundancy) two (2) weeks prior to commencement of jury selection. Motions in limine shall be filed and served so as to be heard prior to commencement of jury selection. A conference with Chambers shall be held upon completion of jury selection. A final charging conference shall be held prior to summations. Deadline for expert disclosure, absent good cause shown, is thirty (30) days prior to the scheduled commencement date of jury selection.
Kings		
	All Justices	At the final settlement conference a pre-trial conference will be scheduled in compliance with Uniform Rules, §202.70(g), Rules 25 to 33, to be held following the filing of a Note of Issue and approximately ten days in advance of the trial date. Trial counsel must appear. Pre-marked exhibits, pre-trial memoranda, requests to charge, witness lists, and in-limine applications duly served at least eight days in advance of the date of the pre-trial conference shall be provided at the pre-trial conference as required pursuant to Uniform Rules, § 202.70(g), Rules 25 to 33. Short and concise pretrial memoranda are preferred, containing a statement of the facts and issues of the case and the relevant principles of law with citations to controlling authority. Counsel must confer prior to appearance at the pre-trial conference so that exhibits that are not disputed can be identified and stipulated into evidence.
	Solomon	Motions in Limine. Any potential evidentiary question or procedural or substantive law matter not previously adjudicated shall be brought to the Court's attention and addressed prior to trial by way of a written or oral motion in limine. A written memorandum of law with citations to the Official Reports is strongly encouraged; citations and copies of relevant court decisions and statutes should be furnished to the Court prior to commencement of plaintiff's case and when otherwise requested by the Court.
New York		
	Bransten	At least fifteen days prior to the start date of the trial the parties are to each submit: (a) Motions in limine. (b) One copy of all exhibits to be used at trial. The parties should additionally be prepared to hand to the Court one copy of every document that is introduced at trial.
	Friedman	Note re: Commercial Division Rule 27 (Motions in Limine): At the pre-trial conference, the Court will schedule the return date for motions in limine, if any.
	Kornreich	Prior to trial, a pre-trial hearing will be held. Before that date, all in limine motions must be fully submitted in Room 130, and the following must have been exchanged: 1) witness lists and cross-designations of deposition testimony; 2) expert reports; and 3) pre-marked exhibits, together with a spread sheet containing the exhibit numbers or letters, a very brief description of the exhibit, and blank spaces for a) the opposing parties to object or agree to admission, b) a change of position after the parties meet and confer regarding any objections, c) a court ruling on the pre-trial date as to the exhibits not agreed upon.
	Oing	Motions in limine are to be submitted directly to Part 48 at least five (5) calendar days prior to the start date of trial.
	Ramos	Trial Rules: Please see Part 53 trial Rules, available on the Commercial Division website. Note: Motions in limine, pre-trial memoranda, exhibit books, and witness lists are due in the time frame set forth in Part 53 Trial Rules, and not at the pretrial conference as set forth in Commercial Division Rules 27, 28, and 31.

District / County	Justice	Part Specific Rule
	Scarpulla	Pre-trial memoranda of law, pre-trial orders and motions in limine are to be submitted at least seven (7) calendar days prior to the date of trial, unless otherwise advised by the Court.
Queens		
	Grays	Motions in Limine - On the first appearance in the Part for trial, any party intending to make a motion in limine shall submit a brief written affirmation setting forth the nature of the application and any supporting statutory or case law. The party shall furnish the court with an original and one copy and provide counsel for all parties with a copy.
Westchester		
	Jamieson	At the pre-trial conference, the Court will schedule the return date for motions in limine, if any.

Rule 28. Pre-Marking of Exhibits. Counsel for the parties shall consult prior to the pre-trial conference and shall in good faith attempt to agree upon the exhibits that will be offered into evidence without objection. At the pre-trial conference date, each side shall then mark its exhibits into evidence as to those to which no objection has been made. All exhibits not consented to shall be marked for identification only. If the trial exhibits are voluminous, counsel shall consult the clerk of the part for guidance. The court will rule upon the objections to the contested exhibits at the earliest possible time. Exhibits not previously demanded which are to be used solely for credibility or rebuttal need not be pre-marked.

District / County	Justice	Part Specific Rule
7th		
	Rosenbaum	Trial dates are provided at pre-trial conferences conducted after the Note of Issue and Statement of Readiness has been filed. Court adheres strictly to its trial schedule and adjournments are discouraged. Marked pleadings, requests to charge, proposed verdict sheets and papers for motions in limine required ten (10) days prior to beginning of jury selection or trial.
8th		
	Walker	The Court adheres strictly to jury selection and trial schedules. Marked pleadings, requests to charge, witness lists, and proposed verdict sheets shall be submitted to Chambers (after consultation with opposing counsel, so as to narrow issues and limit redundancy) two (2) weeks prior to commencement of jury selection. Motions in limine shall be filed and served so as to be heard prior to commencement of jury selection. A conference with Chambers shall be held upon completion of jury selection. A final charging conference shall be held prior to summations. Deadline for expert disclosure, absent good cause shown, is thirty (30) days prior to the scheduled commencement date of jury selection.
Kings		
	All Justices	At the final settlement conference a pre-trial conference will be scheduled in compliance with Uniform Rules, §202.70(g), Rules 25 to 33, to be held following the filing of a Note of Issue and approximately ten days in advance of the trial date. Trial counsel must appear. Pre-marked exhibits, pre-trial memoranda, requests to charge, witness lists, and in-limine applications duly served at least eight days in advance of the date of the pre-trial conference shall be provided at the pre-trial conference as required pursuant to Uniform Rules, § 202.70(g), Rules 25 to 33. Short and concise pretrial memoranda are preferred, containing a statement of the facts and issues of the case and the relevant principles of law with citations to controlling authority. Counsel must confer prior to appearance at the pre-trial conference so that exhibits that are not disputed can be identified and stipulated into evidence.
	Solomon	Marked Pleadings. Prior to trial, counsel shall furnish to the Court marked pleadings pursuant to CPLR Section 4012.
	Solomon	Exhibits. Counsel shall pre-mark all exhibits in the order which they intend to introduce them at trial. A list of the exhibits shall be provided to the Court prior to trial. Plaintiffs will number their exhibits and defendants will letter their exhibits. On the day of trial the exhibits and the list will be given to the Court reporter who will officially mark them before trial.
	Solomon	Demonstrative evidence is not permitted without first obtaining permission of the Court.
New York		
	Bransten	Demonstrative evidence is not permitted without first obtaining the permission of the Court.
	Bransten	At least twenty days prior to the start date of the trial the parties are to jointly submit: (a) Pre-trial memorandum briefs. (b) Proposed facts to be proven at trial. (c) A list of witnesses each party expects to call at trial. The witness list must state whether each witness is a fact or an expert witness. If a witness is listed as an "expert," state whether the parties agree or dispute that witness's status as an expert for purposes of the trial. (d) A list of exhibits that each party may use at trial. The exhibit list must state for each exhibit if that exhibit is agreed to or disputed by the parties as admissible evidence. Exhibits that are agreed to by the parties as admissible evidence will be immediately entered into evidence upon introduction at trial. Parties are to contact and work with the court reporter to mark exhibits in advance of trial.

District / County	Justice	Part Specific Rule
	Bransten	At least fifteen days prior to the start date of the trial the parties are to each submit: (a) Motions in limine. (b) One copy of all exhibits to be used at trial. The parties should additionally be prepared to hand to the Court one copy of every document that is introduced at trial.
	Friedman	Exhibits and Deposition Transcripts: Where practicable, deposition transcripts and exhibits provided to the Court pursuant to Commercial Division Rules 29 and 31, respectively, shall be provided electronically in a word-searchable format and two working copies shall also be filed with the Clerk of Part 60.
	Kornreich	Prior to trial, a pre-trial hearing will be held. Before that date, all in limine motions must be fully submitted in Room 130, and the following must have been exchanged: 1) witness lists and cross-designations of deposition testimony; 2) expert reports; and 3) pre-marked exhibits, together with a spread sheet containing the exhibit numbers or letters, a very brief description of the exhibit, and blank spaces for a) the opposing parties to object or agree to admission, b) a change of position after the parties meet and confer regarding any objections, c) a court ruling on the pre-trial date as to the exhibits not agreed upon.
	Kornreich	On the date of trial, the plaintiff shall provide the court with marked pleadings. If it is a bench trial, the parties will provide the court with a stipulation as to all agreed upon facts and pre-trial briefs. If it is a jury trial, the parties will submit requests to charge and contentions.
	Oing	Counsel shall provide a list of exhibits that may be used at trial. Counsel shall premark all the exhibits prior to trial. The exhibit list must state for each exhibit if that exhibit is agreed to or disputed by the parties as admissible evidence. Exhibits that are agreed to by the parties as admissible evidence will be entered into evidence without objection upon introduction at trial. Court exhibits are roman numeral, plaintiff exhibits are numbered, and defendant exhibits are lettered.
	Oing	Counsel shall provide the Court with a copy of the exhibit books and any other documents offered into evidence.
	Oing	For all trials, counsel shall submit marked pleadings and a copy of the bill of particulars. If a witness needs an interpreter, counsel shall notify Part 48 in writing seven (7) calendar days prior to trial. Please indicate the language and dialect.
	Oing	Demonstrative evidence is not permitted without first obtaining the permission of the Court.
	Ramos	Trial Rules: Please see Part 53 trial Rules, available on the Commercial Division website. Note: Motions in limine, pre-trial memoranda, exhibit books, and witness lists are due in the time frame set forth in Part 53 Trial Rules, and not at the pretrial conference as set forth in Commercial Division Rules 27, 28, and 31.
	Ramos	Trial Exhibits: Parties shall exchange exhibits books and provide a copy to the Part ten business days prior to the commencement of trial. Counsel shall pre-mark all the exhibits prior to trial, and must state for each exhibit if it is agreed to or disputed between the parties as admissible evidence. Exhibits that are not disputed as admissible evidence shall be immediately entered into evidence upon introduction at trial. Objections to the introduction of a particular exhibit shall be raised at trial. Note: Parties shall be prepared to hand the Court and the witness being questioned one loose copy of every document that is being introduced at trial.
	Ramos	10 Business Days Prior to the Commencement of Trial Marked Pleadings
	Ramos	Demonstrative Evidence: Demonstrative evidence, including charts, graphics, enlarged contract language, video depositions, and electronic media devices are not permitted without first obtaining the permission for the Court.

District / County	Justice	Part Specific Rule
	Scarpulla	<p>Prior to the start of trial, please supply the Court with the following:</p> <ul style="list-style-type: none"> a. All marked pleadings and bill of particulars. b. All prior decisions in the case. c. Any notices to admit. d. Copies of transcripts of depositions intended for use at trial. e. Proposed jury verdict sheet. f. A list of all requested PJI sections from the most current volume to be included in the final charge to the jury. You may list the section by number only, if it does not call for any characterization of the evidence or the contentions of the parties. If the section does call for a characterization or description of the evidence or contentions of the parties, you must supply such description of evidence or contention in writing. If you are requesting other language, not based on the PJI, you must provide the proposed language in writing, along with the appropriate citations. Please provide copies of any cases upon which you rely for charge language. g. A short (one or two lines) summary of your party's claims to be used by the Court as part of the preliminary instructions given to the jury before opening statements. h. Copies of cases and authorities upon which you will be relying on for in limine or other applications. i. Provide a list of citations for the court reporter. j. Copies of any statutes or section from the Administrative Code or other rules and regulations which are pertinent to the case. k. A list of proposed witnesses. If a witness needs an interpreter, please indicate the language and any dialect.
	Scarpulla	Please stipulate to all facts and documents not in dispute prior to trial. Have agreed-upon documents, photographs and other exhibits pre-marked into evidence by the court reporter while the jury is not present.
	Scarpulla	The parties shall provide the Court with one copy of exhibit books or any other documents to be offered into evidence.
	Sherwood	Exhibits at Trials and Evidentiary Hearings. At any evidentiary hearing or trial, the parties shall provide the court with a copy of the exhibit books and any other documents to be offered in evidence. Exhibits and other documents will be available to be retrieved at Part 49, Room 252, two days after the case/issue is decided and will be discarded if not collected within 14 days.
Queens		
	Grays	All counsel must submit to the court, prior to the commencement of trial, marked pleadings, a copy of the Bill of Particulars, a witness list, exhibit list, proposed jury instruction and a proposed verdict sheet.
Westchester		
	Jamieson	<p>At least 20 days prior to the start of the trial, the parties are to submit:</p> <ul style="list-style-type: none"> (A) pre-trial memoranda (B) proposed facts to be proven at trial (C) a list of witnesses each party expects to call at trial, with each witness listed as an expert or fact witness. If the witness is an expert, state whether the parties agree or dispute that witness' status as an expert. (D) a list of exhibits that each party plans to use at trial. The list must state whether the exhibit is in dispute or not. Exhibits that are not in dispute must be pre-marked; parties are to contact and work with the court reporter to mark exhibits prior to the trial. Parties should have copies of the exhibits for all parties, the witness and the Court. The Court's exhibits should be tabbed, in a binder. (E) if it's a jury trial, the parties must submit proposed jury charges and a proposed verdict sheet. Any charges that diverge in any fashion from the Pattern Jury Instructions must be accompanied by a brief memo, supported by case law.

Rule 29. Identification of Deposition Testimony. Counsel for the parties shall consult prior to trial and shall in good faith attempt to agree upon the portions of deposition testimony to be offered into evidence without objection. The parties shall delete from the testimony to be read questions and answers that are irrelevant to the point for which the deposition testimony is offered. Each party shall prepare a list of deposition testimony to be offered by it as to which objection has not been made and, identified separately, a list of deposition testimony as to which objection has been made. At least ten days prior to trial or such other time as the court may set, each party shall submit its list to the court and other counsel, together with a copy of the portions of the deposition testimony as to which objection has been made. The court will rule upon the objections at the earliest possible time after consultation with counsel.

District / County	Justice	Part Specific Rule
Kings		
	Solomon	Depositions. A copy of depositions intended to be used at trial should be furnished to the Court at the commencement of the trial.
New York		
	Friedman	Exhibits and Deposition Transcripts: Where practicable, deposition transcripts and exhibits provided to the Court pursuant to Commercial Division Rules 29 and 31, respectively, shall be provided electronically in a word-searchable format and two working copies shall also be filed with the Clerk of Part 60.
	Kornreich	Prior to trial, a pre-trial hearing will be held. Before that date, all in limine motions must be fully submitted in Room 130, and the following must have been exchanged: 1) witness lists and cross-designations of deposition testimony; 2) expert reports; and 3) pre-marked exhibits, together with a spread sheet containing the exhibit numbers or letters, a very brief description of the exhibit, and blank spaces for a) the opposing parties to object or agree to admission, b) a change of position after the parties meet and confer regarding any objections, c) a court ruling on the pre-trial date as to the exhibits not agreed upon.
	Scarpulla	<p>Prior to the start of trial, please supply the Court with the following:</p> <ul style="list-style-type: none"> a. All marked pleadings and bill of particulars. b. All prior decisions in the case. c. Any notices to admit. d. Copies of transcripts of depositions intended for use at trial. e. Proposed jury verdict sheet. f. A list of all requested PJI sections from the most current volume to be included in the final charge to the jury. You may list the section by number only, if it does not call for any characterization of the evidence or the contentions of the parties. If the section does call for a characterization or description of the evidence or contentions of the parties, you must supply such description of evidence or contention in writing. If you are requesting other language, not based on the PJI, you must provide the proposed language in writing, along with the appropriate citations. Please provide copies of any cases upon which you rely for charge language. g. A short (one or two lines) summary of your party's claims to be used by the Court as part of the preliminary instructions given to the jury before opening statements. h. Copies of cases and authorities upon which you will be relying on for in limine or other applications. i. Provide a list of citations for the court reporter. j. Copies of any statutes or section from the Administrative Code or other rules and regulations which are pertinent to the case. k. A list of proposed witnesses. If a witness needs an interpreter, please indicate the language and any dialect.

Rule 30 (a). Settlement and Pretrial Conferences. Settlement Conference. At the time of certification of the matter as ready for trial or at any time after the discovery cut-off date, the court may schedule a settlement conference which shall be attended by counsel and the parties, who are expected to be fully prepared to discuss the settlement of the matter.

District / County	Justice	Part Specific Rule
Kings		
	All Justices	A firm trial date will be established at a final settlement conference to be held at the conclusion of discovery. The Court may direct the parties to appear at such conference.
Onondaga		
	Karalunas	Plaintiff must submit a written settlement demand to the defendant(s) at least ten (10) days before the final pre-trial conference. In all cases to be tried by a jury, plaintiff also must submit a copy of the settlement demand to the Court.

Rule 30 (b). Settlement and Pretrial Conferences. Pre-trial Conference. Prior to the pretrial conference, counsel shall confer in a good faith effort to identify matters not in contention, resolve disputed questions without need for court intervention and further discuss settlement of the case. At the pre-trial conference, counsel shall be prepared to discuss all matters as to which there is disagreement between the parties, including those identified in Rules 27-29, and settlement of the matter. At or before the pre-trial conference, the court may require the parties to prepare a written stipulation of undisputed facts.

District / County	Justice	Part Specific Rule
7th		
	Rosenbaum	Preliminary conferences are scheduled upon receipt of the filed RJI from the County Clerk. At the conference, a scheduling order will be issued. At the preliminary conference, the Court will indicate whether or not a stay of disclosure will be employed pursuant to CPLR § 3214(b). Pretrial conferences will be set forth in the scheduling order or scheduled upon receipt of a calendar note of issue. Counsel must bring their calendars, including trial availability, to all conferences.
Kings		
	All Justices	At the final settlement conference a pre-trial conference will be scheduled in compliance with Uniform Rules, §202.70(g), Rules 25 to 33, to be held following the filing of a Note of Issue and approximately ten days in advance of the trial date. Trial counsel must appear. Pre-marked exhibits, pre-trial memoranda, requests to charge, witness lists, and in-limine applications duly served at least eight days in advance of the date of the pre-trial conference shall be provided at the pre-trial conference as required pursuant to Uniform Rules, § 202.70(g), Rules 25 to 33. Short and concise pretrial memoranda are preferred, containing a statement of the facts and issues of the case and the relevant principles of law with citations to controlling authority. Counsel must confer prior to appearance at the pre-trial conference so that exhibits that are not disputed can be identified and stipulated into evidence.
New York		
	Kornreich	Prior to trial, a pre-trial hearing will be held. Before that date, all in limine motions must be fully submitted in Room 130, and the following must have been exchanged: 1) witness lists and cross-designations of deposition testimony; 2) expert reports; and 3) pre-marked exhibits, together with a spread sheet containing the exhibit numbers or letters, a very brief description of the exhibit, and blank spaces for a) the opposing parties to object or agree to admission, b) a change of position after the parties meet and confer regarding any objections, c) a court ruling on the pre-trial date as to the exhibits not agreed upon.
	Ramos	Pre-trial Conference: All parties shall first confer on the following issues and participate in a pre-trial conference to discuss: A. Proposed dates, and estimated length of trial; B. Motions in limine: The timing and manner in which motions in limine are to be initiated shall be determined at the pre-trial conference; C. Expert Disclosure
	Scarpulla	Pre-Trial Conferences: as scheduled by the Court
Queens		
	Kitzes	Counsel attending the conference must be fully familiar with and authorized to settle, stipulate, and dispose of the action(s).
	Ritholtz	Counsel attending the conference must be fully familiar with and authorized to settle, stipulate, and dispose of the action(s).

Rule 31 (a). Pre-Trial Memoranda, Exhibit Book and Requests for Jury Instructions. Counsel shall submit pre-trial memoranda at the pre-trial conference, or such other time as the court may set. Counsel shall comply with CPLR 2103(e). A single memorandum no longer than 25 pages shall be submitted by each side. No memoranda in response shall be submitted.

District / County	Justice	Part Specific Rule
Kings		
	All Justices	At the final settlement conference a pre-trial conference will be scheduled in compliance with Uniform Rules, §202.70(g), Rules 25 to 33, to be held following the filing of a Note of Issue and approximately ten days in advance of the trial date. Trial counsel must appear. Pre-marked exhibits, pre-trial memoranda, requests to charge, witness lists, and in-limine applications duly served at least eight days in advance of the date of the pre-trial conference shall be provided at the pre-trial conference as required pursuant to Uniform Rules, § 202.70(g), Rules 25 to 33. Short and concise pretrial memoranda are preferred, containing a statement of the facts and issues of the case and the relevant principles of law with citations to controlling authority. Counsel must confer prior to appearance at the pre-trial conference so that exhibits that are not disputed can be identified and stipulated into evidence.
New York		
	Bransten	At least twenty days prior to the start date of the trial the parties are to jointly submit: (a) Pre-trial memorandum briefs. (b) Proposed facts to be proven at trial. (c) A list of witnesses each party expects to call at trial. The witness list must state whether each witness is a fact or an expert witness. If a witness is listed as an “expert,” state whether the parties agree or dispute that witness’s status as an expert for purposes of the trial. (d) A list of exhibits that each party may use at trial. The exhibit list must state for each exhibit if that exhibit is agreed to or disputed by the parties as admissible evidence. Exhibits that are agreed to by the parties as admissible evidence will be immediately entered into evidence upon introduction at trial. Parties are to contact and work with the court reporter to mark exhibits in advance of trial.
	Kornreich	On the date of trial, the plaintiff shall provide the court with marked pleadings. If it is a bench trial, the parties will provide the court with a stipulation as to all agreed upon facts and pre-trial briefs. If it is a jury trial, the parties will submit requests to charge and contentions.
	Oing	For non-jury trials, at least five (5) calendar days prior to trial, counsel shall submit a witness list, proposed findings of fact, and a pre-trial memorandum of law.
	Ramos	Trial Rules: Please see Part 53 trial Rules, available on the Commercial Division website. Note: Motions in limine, pre-trial memoranda, exhibit books, and witness lists are due in the time frame set forth in Part 53 Trial Rules, and not at the pretrial conference as set forth in Commercial Division Rules 27, 28, and 31.
	Ramos	10 Business Days Prior to the Commencement of Trial Pre-Trial Memoranda and Statements of Disputed Facts/Agreed Upon Facts
	Ramos	Post-trial memoranda briefs and Proposed Facts/Conclusions of Law: Shall be submitted both in hard copy and in electronic Word Perfect format following the conclusion of trial.
	Scarpulla	Pre-trial memoranda of law, pre-trial orders and motions in limine are to be submitted at least seven (7) calendar days prior to the date of trial, unless otherwise advised by the Court.
Suffolk		
	Emerson	Pre-trial memoranda and briefs are to be submitted in all matters at least seven business days prior to the start date of the trial.
Westchester		

District / County	Justice	Part Specific Rule
	Jamieson	<p>At least 20 days prior to the start of the trial, the parties are to submit:</p> <p>(A) pre-trial memoranda</p> <p>(B) proposed facts to be proven at trial</p> <p>(C) a list of witnesses each party expects to call at trial, with each witness listed as an expert or fact witness. If the witness is an expert, state whether the parties agree or dispute that witness' status as an expert.</p> <p>(D) a list of exhibits that each party plans to use at trial. The list must state whether the exhibit is in dispute or not. Exhibits that are not in dispute must be pre-marked; parties are to contact and work with the court reporter to mark exhibits prior to the trial. Parties should have copies of the exhibits for all parties, the witness and the Court. The Court's exhibits should be tabbed, in a binder.</p> <p>(E) if it's a jury trial, the parties must submit proposed jury charges and a proposed verdict sheet. Any charges that diverge in any fashion from the Pattern Jury Instructions must be accompanied by a brief memo, supported by case law.</p>

Rule 31 (b). Pre-Trial Memoranda, Exhibit Book and Requests for Jury Instructions. At the pre-trial conference or at such other time as the court may set, counsel shall submit an indexed binder or notebook of trial exhibits for the court's use. A copy for each attorney on trial and the originals in a similar binder or notebook for the witnesses shall be prepared and submitted. Plaintiff's exhibits shall be numerically tabbed and defendant's exhibits shall be tabbed alphabetically.

District / County	Justice	Part Specific Rule
7th		
	Rosenbaum	Trial dates are provided at pre-trial conferences conducted after the Note of Issue and Statement of Readiness has been filed. Court adheres strictly to its trial schedule and adjournments are discouraged. Marked pleadings, requests to charge, proposed verdict sheets and papers for motions in limine required ten (10) days prior to beginning of jury selection or trial.
8th		
	Walker	The Court adheres strictly to jury selection and trial schedules. Marked pleadings, requests to charge, witness lists, and proposed verdict sheets shall be submitted to Chambers (after consultation with opposing counsel, so as to narrow issues and limit redundancy) two (2) weeks prior to commencement of jury selection. Motions in limine shall be filed and served so as to be heard prior to commencement of jury selection. A conference with Chambers shall be held upon completion of jury selection. A final charging conference shall be held prior to summations. Deadline for expert disclosure, absent good cause shown, is thirty (30) days prior to the scheduled commencement date of jury selection.
Kings		
	All Justices	At the final settlement conference a pre-trial conference will be scheduled in compliance with Uniform Rules, §202.70(g), Rules 25 to 33, to be held following the filing of a Note of Issue and approximately ten days in advance of the trial date. Trial counsel must appear. Pre-marked exhibits, pre-trial memoranda, requests to charge, witness lists, and in-limine applications duly served at least eight days in advance of the date of the pre-trial conference shall be provided at the pre-trial conference as required pursuant to Uniform Rules, § 202.70(g), Rules 25 to 33. Short and concise pretrial memoranda are preferred, containing a statement of the facts and issues of the case and the relevant principles of law with citations to controlling authority. Counsel must confer prior to appearance at the pre-trial conference so that exhibits that are not disputed can be identified and stipulated into evidence.
	Solomon	Marked Pleadings. Prior to trial, counsel shall furnish to the Court marked pleadings pursuant to CPLR Section 4012.
	Solomon	Exhibits. Counsel shall pre-mark all exhibits in the order which they intend to introduce them at trial. A list of the exhibits shall be provided to the Court prior to trial. Plaintiffs will number their exhibits and defendants will letter their exhibits. On the day of trial the exhibits and the list will be given to the Court reporter who will officially mark them before trial.
	Solomon	Demonstrative evidence is not permitted without first obtaining permission of the Court.
New York		
	Bransten	Demonstrative evidence is not permitted without first obtaining the permission of the Court.
	Bransten	At least twenty days prior to the start date of the trial the parties are to jointly submit: (a) Pre-trial memorandum briefs. (b) Proposed facts to be proven at trial. (c) A list of witnesses each party expects to call at trial. The witness list must state whether each witness is a fact or an expert witness. If a witness is listed as an "expert," state whether the parties agree or dispute that witness's status as an expert for purposes of the trial. (d) A list of exhibits that each party may use at trial. The exhibit list must state for each exhibit if that exhibit is agreed to or disputed by the parties as admissible evidence. Exhibits that are agreed to by the parties as admissible evidence will be immediately entered into evidence upon introduction at trial. Parties are to contact and work with the court reporter to mark exhibits in advance of trial.

District / County	Justice	Part Specific Rule
	Bransten	At least fifteen days prior to the start date of the trial the parties are to each submit: (a) Motions in limine. (b) One copy of all exhibits to be used at trial. The parties should additionally be prepared to hand to the Court one copy of every document that is introduced at trial.
	Friedman	Exhibits and Deposition Transcripts: Where practicable, deposition transcripts and exhibits provided to the Court pursuant to Commercial Division Rules 29 and 31, respectively, shall be provided electronically in a word-searchable format and two working copies shall also be filed with the Clerk of Part 60.
	Kornreich	Prior to trial, a pre-trial hearing will be held. Before that date, all in limine motions must be fully submitted in Room 130, and the following must have been exchanged: 1) witness lists and cross-designations of deposition testimony; 2) expert reports; and 3) pre-marked exhibits, together with a spread sheet containing the exhibit numbers or letters, a very brief description of the exhibit, and blank spaces for a) the opposing parties to object or agree to admission, b) a change of position after the parties meet and confer regarding any objections, c) a court ruling on the pre-trial date as to the exhibits not agreed upon.
	Kornreich	On the date of trial, the plaintiff shall provide the court with marked pleadings. If it is a bench trial, the parties will provide the court with a stipulation as to all agreed upon facts and pre-trial briefs. If it is a jury trial, the parties will submit requests to charge and contentions.
	Oing	Counsel shall provide a list of exhibits that may be used at trial. Counsel shall premark all the exhibits prior to trial. The exhibit list must state for each exhibit if that exhibit is agreed to or disputed by the parties as admissible evidence. Exhibits that are agreed to by the parties as admissible evidence will be entered into evidence without objection upon introduction at trial. Court exhibits are roman numeral, plaintiff exhibits are numbered, and defendant exhibits are lettered.
	Oing	Counsel shall provide the Court with a copy of the exhibit books and any other documents offered into evidence.
	Oing	For all trials, counsel shall submit marked pleadings and a copy of the bill of particulars. If a witness needs an interpreter, counsel shall notify Part 48 in writing seven (7) calendar days prior to trial. Please indicate the language and dialect.
	Oing	Demonstrative evidence is not permitted without first obtaining the permission of the Court.
	Ramos	Trial Rules: Please see Part 53 trial Rules, available on the Commercial Division website. Note: Motions in limine, pre-trial memoranda, exhibit books, and witness lists are due in the time frame set forth in Part 53 Trial Rules, and not at the pretrial conference as set forth in Commercial Division Rules 27, 28, and 31.
	Ramos	Trial Exhibits: Parties shall exchange exhibits books and provide a copy to the Part ten business days prior to the commencement of trial. Counsel shall pre-mark all the exhibits prior to trial, and must state for each exhibit if it is agreed to or disputed between the parties as admissible evidence. Exhibits that are not disputed as admissible evidence shall be immediately entered into evidence upon introduction at trial. Objections to the introduction of a particular exhibit shall be raised at trial. Note: Parties shall be prepared to hand the Court and the witness being questioned one loose copy of every document that is being introduced at trial.
	Ramos	10 Business Days Prior to the Commencement of Trial Marked Pleadings
	Ramos	Demonstrative Evidence: Demonstrative evidence, including charts, graphics, enlarged contract language, video depositions, and electronic media devices are not permitted without first obtaining the permission fo the Court.

District / County	Justice	Part Specific Rule
	Scarpulla	<p>Prior to the start of trial, please supply the Court with the following:</p> <ul style="list-style-type: none"> a. All marked pleadings and bill of particulars. b. All prior decisions in the case. c. Any notices to admit. d. Copies of transcripts of depositions intended for use at trial. e. Proposed jury verdict sheet. f. A list of all requested PJI sections from the most current volume to be included in the final charge to the jury. You may list the section by number only, if it does not call for any characterization of the evidence or the contentions of the parties. If the section does call for a characterization or description of the evidence or contentions of the parties, you must supply such description of evidence or contention in writing. If you are requesting other language, not based on the PJI, you must provide the proposed language in writing, along with the appropriate citations. Please provide copies of any cases upon which you rely for charge language. g. A short (one or two lines) summary of your party's claims to be used by the Court as part of the preliminary instructions given to the jury before opening statements. h. Copies of cases and authorities upon which you will be relying on for in limine or other applications. i. Provide a list of citations for the court reporter. j. Copies of any statutes or section from the Administrative Code or other rules and regulations which are pertinent to the case. k. A list of proposed witnesses. If a witness needs an interpreter, please indicate the language and any dialect.
	Scarpulla	Please stipulate to all facts and documents not in dispute prior to trial. Have agreed-upon documents, photographs and other exhibits pre-marked into evidence by the court reporter while the jury is not present.
	Scarpulla	The parties shall provide the Court with one copy of exhibit books or any other documents to be offered into evidence.
	Sherwood	Exhibits at Trials and Evidentiary Hearings. At any evidentiary hearing or trial, the parties shall provide the court with a copy of the exhibit books and any other documents to be offered in evidence. Exhibits and other documents will be available to be retrieved at Part 49, Room 252, two days after the case/issue is decided and will be discarded if not collected within 14 days.
Queens		
	Grays	All counsel must submit to the court, prior to the commencement of trial, marked pleadings, a copy of the Bill of Particulars, a witness list, exhibit list, proposed jury instruction and a proposed verdict sheet.
Westchester		
	Jamieson	<p>At least 20 days prior to the start of the trial, the parties are to submit:</p> <ul style="list-style-type: none"> (A) pre-trial memoranda (B) proposed facts to be proven at trial (C) a list of witnesses each party expects to call at trial, with each witness listed as an expert or fact witness. If the witness is an expert, state whether the parties agree or dispute that witness' status as an expert. (D) a list of exhibits that each party plans to use at trial. The list must state whether the exhibit is in dispute or not. Exhibits that are not in dispute must be pre-marked; parties are to contact and work with the court reporter to mark exhibits prior to the trial. Parties should have copies of the exhibits for all parties, the witness and the Court. The Court's exhibits should be tabbed, in a binder. (E) if it's a jury trial, the parties must submit proposed jury charges and a proposed verdict sheet. Any charges that diverge in any fashion from the Pattern Jury Instructions must be accompanied by a brief memo, supported by case law.

Rule 31 (c). Pre-Trial Memoranda, Exhibit Book and Requests for Jury Instructions. Where the trial is by jury, counsel shall, on the pre-trial conference date or such other time as the court may set, provide the court with case-specific requests to charge and proposed jury interrogatories. Where the requested charge is from the New York Pattern Jury Instructions - Civil, a reference to the PJI number will suffice. Submissions should be by hard copy and disk or e-mail attachment in WordPerfect 12 format, as directed by the court.

District / County	Justice	Part Specific Rule
7th		
	Rosenbaum	Trial dates are provided at pre-trial conferences conducted after the Note of Issue and Statement of Readiness has been filed. Court adheres strictly to its trial schedule and adjournments are discouraged. Marked pleadings, requests to charge, proposed verdict sheets and papers for motions in limine required ten (10) days prior to beginning of jury selection or trial.
	Rosenbaum	Ten (10) days prior to trial, if the trial is by jury, counsel will be required to submit a proposed verdict sheet and proposed charges. All submissions must be made in hard copy and on disk in WordPerfect format. The Court will set a date for the submissions at a time to be determined during the course of the trial.
8th		
	Walker	The Court adheres strictly to jury selection and trial schedules. Marked pleadings, requests to charge, witness lists, and proposed verdict sheets shall be submitted to Chambers (after consultation with opposing counsel, so as to narrow issues and limit redundancy) two (2) weeks prior to commencement of jury selection. Motions in limine shall be filed and served so as to be heard prior to commencement of jury selection. A conference with Chambers shall be held upon completion of jury selection. A final charging conference shall be held prior to summations. Deadline for expert disclosure, absent good cause shown, is thirty (30) days prior to the scheduled commencement date of jury selection.
Kings		
	All Justices	At the final settlement conference a pre-trial conference will be scheduled in compliance with Uniform Rules, §202.70(g), Rules 25 to 33, to be held following the filing of a Note of Issue and approximately ten days in advance of the trial date. Trial counsel must appear. Pre-marked exhibits, pre-trial memoranda, requests to charge, witness lists, and in-limine applications duly served at least eight days in advance of the date of the pre-trial conference shall be provided at the pre-trial conference as required pursuant to Uniform Rules, § 202.70(g), Rules 25 to 33. Short and concise pretrial memoranda are preferred, containing a statement of the facts and issues of the case and the relevant principles of law with citations to controlling authority. Counsel must confer prior to appearance at the pre-trial conference so that exhibits that are not disputed can be identified and stipulated into evidence.
	Solomon	Proposed Jury Charges and Verdict Sheets. All proposed jury charges and proposed verdict sheets shall be submitted to the Court in typed form no later than the close of plaintiff's case.
New York		
	Bransten	If the trial is by jury, counsel will be required to submit proposed jury charges and a proposed verdict sheet. All submissions must be made in hard copy and on disk in WordPerfect 8 format ten days before trial. (a) The Court will accept submissions of proposed opening jury charges for the Court to read to the jury upon the onset of the trial. Proposed opening jury charges must be made in hard copy and on disk in WordPerfect 8. (b) The court supervises jury selection. Parties may submit proposed questions for use by the court during jury selection.
	Bransten	The court will expect each party to make a three-minute presentation to the jury panel regarding its case at the beginning of voir dire.
	Kornreich	On the date of trial, the plaintiff shall provide the court with marked pleadings. If it is a bench trial, the parties will provide the court with a stipulation as to all agreed upon facts and pre-trial briefs. If it is a jury trial, the parties will submit requests to charge and contentions.

District / County	Justice	Part Specific Rule
	Oing	For jury trials, counsel shall submit to the Court at least five (5) calendar days prior to trial a witness list, proposed jury instructions, and a proposed verdict sheet. If the proposed jury instructions are verbatim from the Pattern Jury Instructions, providing the PJI numbers will be sufficient. If a PJI instruction is modified, exact language shall be submitted supported by appropriate authority.
Queens	Scarpulla	<p>Prior to the start of trial, please supply the Court with the following:</p> <ul style="list-style-type: none"> a. All marked pleadings and bill of particulars. b. All prior decisions in the case. c. Any notices to admit. d. Copies of transcripts of depositions intended for use at trial. e. Proposed jury verdict sheet. f. A list of all requested PJI sections from the most current volume to be included in the final charge to the jury. You may list the section by number only, if it does not call for any characterization of the evidence or the contentions of the parties. If the section does call for a characterization or description of the evidence or contentions of the parties, you must supply such description of evidence or contention in writing. If you are requesting other language, not based on the PJI, you must provide the proposed language in writing, along with the appropriate citations. Please provide copies of any cases upon which you rely for charge language. g. A short (one or two lines) summary of your party's claims to be used by the Court as part of the preliminary instructions given to the jury before opening statements. h. Copies of cases and authorities upon which you will be relying on for in limine or other applications. i. Provide a list of citations for the court reporter. j. Copies of any statutes or section from the Administrative Code or other rules and regulations which are pertinent to the case. k. A list of proposed witnesses. If a witness needs an interpreter, please indicate the language and any dialect.
Suffolk	Grays	All counsel must submit to the court, prior to the commencement of trial, marked pleadings, a copy of the Bill of Particulars, a witness list, exhibit list, proposed jury instruction and a proposed verdict sheet.
	Emerson	All trials require full compliance with directives set forth in the Pre-Trial Order. Additionally, if the trial is by jury, counsel will be required to submit a proposed verdict sheet and proposed charges seven business days prior to the trial.
Westchester	Jamieson	<p>At least 20 days prior to the start of the trial, the parties are to submit:</p> <ul style="list-style-type: none"> (A) pre-trial memoranda (B) proposed facts to be proven at trial (C) a list of witnesses each party expects to call at trial, with each witness listed as an expert or fact witness. If the witness is an expert, state whether the parties agree or dispute that witness' status as an expert. (D) a list of exhibits that each party plans to use at trial. The list must state whether the exhibit is in dispute or not. Exhibits that are not in dispute must be pre-marked; parties are to contact and work with the court reporter to mark exhibits prior to the trial. Parties should have copies of the exhibits for all parties, the witness and the Court. The Court's exhibits should be tabbed, in a binder. (E) if it's a jury trial, the parties must submit proposed jury charges and a proposed verdict sheet. Any charges that diverge in any fashion from the Pattern Jury Instructions must be accompanied by a brief memo, supported by case law.

Rule 32. Scheduling of witnesses. At the pre-trial conference or at such time as the court may direct, each party shall identify in writing for the court the witnesses it intends to call, the order in which they shall testify and the estimated length of their testimony, and shall provide a copy of such witness list to opposing counsel. Counsel shall separately identify for the court only a list of the witnesses who may be called solely for rebuttal or with regard to credibility.

District / County	Justice	Part Specific Rule
7th		
	Rosenbaum	Parties shall provide witness lists, a glossary of names, and any unusual acronyms they anticipate to be using during the trial to the court reporter the morning that the trial is set to begin.
8th		
	Walker	The Court adheres strictly to jury selection and trial schedules. Marked pleadings, requests to charge, witness lists, and proposed verdict sheets shall be submitted to Chambers (after consultation with opposing counsel, so as to narrow issues and limit redundancy) two (2) weeks prior to commencement of jury selection. Motions in limine shall be filed and served so as to be heard prior to commencement of jury selection. A conference with Chambers shall be held upon completion of jury selection. A final charging conference shall be held prior to summations. Deadline for expert disclosure, absent good cause shown, is thirty (30) days prior to the scheduled commencement date of jury selection.
Kings		
	All Justices	At the final settlement conference a pre-trial conference will be scheduled in compliance with Uniform Rules, §202.70(g), Rules 25 to 33, to be held following the filing of a Note of Issue and approximately ten days in advance of the trial date. Trial counsel must appear. Pre-marked exhibits, pre-trial memoranda, requests to charge, witness lists, and in-limine applications duly served at least eight days in advance of the date of the pre-trial conference shall be provided at the pre-trial conference as required pursuant to Uniform Rules, § 202.70(g), Rules 25 to 33. Short and concise pretrial memoranda are preferred, containing a statement of the facts and issues of the case and the relevant principles of law with citations to controlling authority. Counsel must confer prior to appearance at the pre-trial conference so that exhibits that are not disputed can be identified and stipulated into evidence.
	Solomon	Witnesses. Prior to trial, Counsel shall provide to the court a list of potential witnesses in order in which they intend to call them at trial, including expert witnesses, their expertise, and summary of expected trial testimony.
New York		
	Bransten	At least twenty days prior to the start date of the trial the parties are to jointly submit: (a) Pre-trial memorandum briefs. (b) Proposed facts to be proven at trial. (c) A list of witnesses each party expects to call at trial. The witness list must state whether each witness is a fact or an expert witness. If a witness is listed as an "expert," state whether the parties agree or dispute that witness's status as an expert for purposes of the trial. (d) A list of exhibits that each party may use at trial. The exhibit list must state for each exhibit if that exhibit is agreed to or disputed by the parties as admissible evidence. Exhibits that are agreed to by the parties as admissible evidence will be immediately entered into evidence upon introduction at trial. Parties are to contact and work with the court reporter to mark exhibits in advance of trial.
	Bransten	Parties shall provide witness lists, a glossary of names and any unusual words and any acronyms they anticipate using during the trial to the court reporter the morning that the trial is set to begin.
	Kornreich	Prior to trial, a pre-trial hearing will be held. Before that date, all in limine motions must be fully submitted in Room 130, and the following must have been exchanged: 1) witness lists and cross-designations of deposition testimony; 2) expert reports; and 3) pre-marked exhibits, together with a spread sheet containing the exhibit numbers or letters, a very brief description of the exhibit, and blank spaces for a) the opposing parties to object or agree to admission, b) a change of position after the parties meet and confer regarding any objections, c) a court ruling on the pre-trial date as to the exhibits not agreed upon.

District / County	Justice	Part Specific Rule
	Oing	For jury trials, counsel shall submit to the Court at least five (5) calendar days prior to trial a witness list, proposed jury instructions, and a proposed verdict sheet. If the proposed jury instructions are verbatim from the Pattern Jury Instructions, providing the PJI numbers will be sufficient. If a PJI instruction is modified, exact language shall be submitted supported by appropriate authority.
	Oing	For non-jury trials, at least five (5) calendar days prior to trial, counsel shall submit a witness list, proposed findings of fact, and a pre-trial memorandum of law.
	Oing	For all trials, the witness list must state whether each witness is a fact or an expert witness. If a witness is listed as an "expert," state whether the parties agree or dispute the witness's status as an expert for purposes of the trial.
	Oing	Parties shall provide witness lists, a glossary of names, and any unusual words and any acronyms they anticipate to be using during the trial to the Court reporter the morning that the trial is set to begin.
	Ramos	Trial Rules: Please see Part 53 trial Rules, available on the Commercial Division website. Note: Motions in limine, pre-trial memoranda, exhibit books, and witness lists are due in the time frame set forth in Part 53 Trial Rules, and not at the pretrial conference as set forth in Commercial Division Rules 27, 28, and 31.
	Ramos	Direct Testimony in Affidavit Form: All direct testimony of a party's own witness shall be submitted in affidavit form. Upon being called at trial, a witness shall first swear to the contents of his/her affidavit, followed by opposing counsel's objections to the testimony, cross-examination, and re-direct, if any. Parties shall exchange direct testimony affidavits, and provide a copy to the Part, ten business days prior to the commencement of the trial. Exception: Where the witness is not within a party's control, counsel need not submit a direct testimony affidavit from him/her.
	Ramos	Witness Lists: Parties shall exchange witness lists and provide a copy to the Court ten business days prior to the commencement of trial. The witness list shall designate whether the witness is being called as an "expert" or "fact" witness, and if designated as an expert, whether the parties agree or dispute the witness' status. Objections to the introduction of a particular witness shall be raised at trial.
	Scarpulla	Prior to the start of trial, please supply the Court with the following: a. All marked pleadings and bill of particulars. b. All prior decisions in the case. c. Any notices to admit. d. Copies of transcripts of depositions intended for use at trial. e. Proposed jury verdict sheet. f. A list of all requested PJI sections from the most current volume to be included in the final charge to the jury. You may list the section by number only, if it does not call for any characterization of the evidence or the contentions of the parties. If the section does call for a characterization or description of the evidence or contentions of the parties, you must supply such description of evidence or contention in writing. If you are requesting other language, not based on the PJI, you must provide the proposed language in writing, along with the appropriate citations. Please provide copies of any cases upon which you rely for charge language. g. A short (one or two lines) summary of your party's claims to be used by the Court as part of the preliminary instructions given to the jury before opening statements. h. Copies of cases and authorities upon which you will be relying on for in limine or other applications. i. Provide a list of citations for the court reporter. j. Copies of any statutes or section from the Administrative Code or other rules and regulations which are pertinent to the case. k. A list of proposed witnesses. If a witness needs an interpreter, please indicate the language and any dialect.
Queens		
	Grays	All counsel must submit to the court, prior to the commencement of trial, marked pleadings, a copy of the Bill of Particulars, a witness list, exhibit list, proposed jury instruction and a proposed verdict sheet.
Westchester		

District / County	Justice	Part Specific Rule
	Jamieson	<p>At least 20 days prior to the start of the trial, the parties are to submit:</p> <p>(A) pre-trial memoranda</p> <p>(B) proposed facts to be proven at trial</p> <p>(C) a list of witnesses each party expects to call at trial, with each witness listed as an expert or fact witness. If the witness is an expert, state whether the parties agree or dispute that witness' status as an expert.</p> <p>(D) a list of exhibits that each party plans to use at trial. The list must state whether the exhibit is in dispute or not. Exhibits that are not in dispute must be pre-marked; parties are to contact and work with the court reporter to mark exhibits prior to the trial. Parties should have copies of the exhibits for all parties, the witness and the Court. The Court's exhibits should be tabbed, in a binder.</p> <p>(E) if it's a jury trial, the parties must submit proposed jury charges and a proposed verdict sheet. Any charges that diverge in any fashion from the Pattern Jury Instructions must be accompanied by a brief memo, supported by case law.</p>

Rule 33. Preclusion. Failure to comply with Rules 28, 29, 31 and 32 may result in preclusion pursuant to CPLR 3126.

District / County	Justice	Part Specific Rule
New York		

Rule 34. Staggered Court Appearances

Staggered court appearances are a mechanism to increase efficiency in the courts and to decrease lawyers' time waiting for a matter to be called by the courts. While this rule is intended to streamline the litigation process in the Commercial Division, it will be ineffectual without the cooperation and participation of litigants. Improving the process of litigating in the Commercial Division by instituting staggered court appearances of matters before the court, for example, requires not only the promulgation of rules such as this one, but also, and more importantly, the proactive and earnest adherence to such rules by parties and their counsel.

(a) Each court appearance before a Commercial Division Justice for oral argument on a motion shall be assigned a time slot. The length of the time slot allotted to each matter is solely in the discretion of the court.

(b) In order for the court to be able to address any and all matters of concern to the court and in order for the court to avoid the appearance of holding ex parte communications with one or more parties in the case, even those parties who believe that they are not directly involved in the matter before the court must appear at the appointed date and time assigned by the court unless specifically excused by the court. However, if an individual is appearing as a self-represented person, that individual must appear at each and every scheduled court appearance regardless of whether he or she anticipates being heard.

(c) Since the court is setting aside a specific time slot for the case to be heard and since there are occasions when the court's electronic or other notification system fails or occasions when a party fails to receive the court-generated notification, each attorney who receives notification of an appearance on a specific date and time is responsible for notifying all other parties by e-mail that the matter is scheduled to be heard on that assigned date and time. All parties are directed to exchange e-mail addresses with each other at the commencement of the case and to keep these e-mail addresses current, in order to facilitate notification by the person(s) receiving the court notification.

(d) Requests for adjournments or to appear telephonically must be e-filed and received in writing by the court by no later than 48 hours before the hearing.

District / County	Justice	Part Specific Rule
8th		
	Walker	No same day adjournments shall be permitted, except in extraordinary circumstances, and only upon Court approval.
	Walker	Matters shall not be adjourned generally. The first and second adjournments may be obtained without Court permission, on consent of all counsel, by informing Chambers at least twenty-four (24) hours prior to the return date. Letters confirming adjournments, and re-scheduled return dates shall be provided to all counsel and Chambers by counsel requesting the adjournment.
	Walker	Conference adjournments shall be granted only with consent of all attorneys, and remain subject to Court approval.
	Walker	Motions shall be called in the order in which attorneys check in with the Court Clerk.
Kings		
	All Justices	Adjournments of any other conferences are permitted for good cause with the approval of the Court on written stipulation of all parties submitted at least two business days prior to the scheduled date of the conference. Stipulations may be faxed to the Judges' Chambers. Fax numbers may be found on the Kings County Commercial Division website under the Judges' Part and Chambers Information.
	All Justices	Preliminary Conferences. All preliminary and compliance conferences will be held on Wednesdays at 9:45 a.m. unless otherwise directed by the Court. The conference calendar will be called after the first call of the motion calendar.
	Solomon	Preliminary conferences and compliance conferences in Commercial Part 10 will be called immediately following the first and second call of the motion calendar and conferenced, as time permits, while motions are being heard.
Nassau		
	DeStefano	Generally, calendar call is at 9:30 am. If your case is scheduled for 9:30 A.M. that means your case should be ready to be heard at that time. If your case is scheduled for 9:30 A.M. but not ready to be heard by 10:15 A.M., due to other court appearances or factors beyond your control, absent a prior arrangement with the Court, your case will be heard at a time that the court determines to be convenient. In no way does the foregoing alter or limit any of the options available to the Court in the event of an attorney or litigant's failure to timely appear (22 NYCRR 130-2.1, 202.27).

District / County	Justice	Part Specific Rule
	DeStefano	Attorneys and unrepresented litigants must alert the Court Officer or Court Clerk of their presence and complete a sign-in sheet. If counsel must also appear before another Judge, he/she must advise the Part Clerk or Court Officer where he/she can be reached. All counsel and litigants are directed to appear for each and every conference (including preliminary, status and compliance conferences).
	DeStefano	All conferences will be held in the order in which all attorneys have checked in.
	DeStefano	Applications to adjourn conferences or motions must be made prior to the conference date or return date of the motion. Applications for adjournments are to be made on the Request for Adjournment Form which can be obtained through chambers. The Request for Adjournment Form is to be filled out by counsel and faxed to chambers. The form requires counsel to provide, among other things, information concerning proposed adjourn dates agreed to by all parties, the date the RJI was purchased, the date preliminary conference was held, the date and nature of the most recent conference, the date the Note of Issue was or is expected to be filed, and the reason for the requested adjournment. If the application is granted, a letter confirming same shall be faxed to chambers. Absent extraordinary circumstances, no request for an adjournment will be granted if the application is made later than 2:00 p.m. of the business day prior to the conference or motion return date.
	DeStefano	<p>Letters confirming adjournments shall state that the court has adjourned the conference or motion on consent of the parties to the specified date, and shall contain the full names of both parties, the index number as well as a notation indicating that all parties have been copied.</p> <p>Adjournment requests that are left on the Chamber's Voice Mail shall be disregarded.</p> <p>Adjournments requested because of engagement of counsel must be accompanied by an Affirmation of Engagement in conformity with 22 NYCRR § 125.1, as well as a request for adjournment form.</p> <p>The foregoing rules regarding adjournments are applicable to all motions (cf. 22 NYCRR 202.70 Rule 16[c]).</p>
New York		
	Oing	The Court will schedule conferences. All cases are heard in the order in which they are ready. All counsel must be present for the case to be deemed ready. Do not check in with the Part Clerk until all sides are present.
	Sherwood	Preliminary and Compliance Conferences. Please consult Commercial Division Rules 7-10. Scheduled conferences are held on Tuesdays at 9:30 AM. If the parties agree, they may appear at 10:30 AM, provided that a request to appear at the alternate time is communicated to the Part Clerk no later than 24 hours prior to your appearance.
Queens		
	Grays	The call of the Pre-Trial Conference calendar and the Trial calendar will be held at 10:00 a.m., unless otherwise directed.
	Grays	For all Commercial Division cases, compliance conferences shall be held on the date scheduled in the Preliminary Conference Stipulation and Order. Conferences shall be held before Justice Grays in Courtroom 66. The call of the calendar will be held at 11:30 a.m.
	Ritholtz	There will be no adjournments of Compliance Conferences whatsoever.
Suffolk		
	Emerson	Parties should address questions about scheduling appearances or adjournments to the Part Clerk, at (631) 852-2139. Please be advised that counsel/litigants must obtain Court permission to adjourn a status conference. Except emergencies, such permission must be obtained no later than two business days in advance of the scheduled appearance. Counsel must make every effort to obtain consent to an adjournment from all adversaries in the matter and be prepared to communicate that consent to the Court. If counsel is unable to get consent, counsel must send a brief letter to the Court with a copy to all adversaries, explaining the circumstances necessitating the adjournment and the reason consent could not be obtained. Counsel/Litigants must wait at least 24 hours to allow for the adversary to respond to the request before contacting the Court.

District / County	Justice	Part Specific Rule
	Pines	All questions about scheduling appearances or adjournments should be addressed to the Court's Secretary, Valarie Genchi, at 631-852-3117. Requests for adjournment of matters appearing on a Tuesday calendar should be made by not later than 3:00 p.m. on Friday. Requests made after that will likely not be granted. All requests for adjournments must be made with the agreement of opposing counsel and, if approved, confirmed by letter with copies to all counsel. If consent cannot be obtained, then the requesting counsel must arrange for a conference call with the Court.
	Pines	Counsel may call the Court's Secretary, Valarie Genchi, with respect to the scheduling of appearances and with respect to adjournment applications.
Westchester		
	Jamieson	All questions about scheduling appearances or adjournments should be addressed to the Part Clerk, Lois Kouroumousis, at (914) 824-5345. Do not contact Chambers regarding such issues. Requests for adjournment of matters should be made by not later than 2:00 p.m. on the day before. Requests made after that will likely not be granted. All requests for adjournments must be made with the request of all opposing counsel and, if approved by the Court, confirmed by a signed Stipulation of all counsel. If consent cannot be obtained, then the requesting counsel must arrange for a conference call with the Court and, if one cannot be timely arranged, then the application must be made at the call of the calendar.
	Jamieson	WORKING COPIES OF STIPULATIONS TO BE SO-ORDERED (INCLUDING REQUESTS FOR ADJOURNMENT) MUST BE RECEIVED BY CHAMBERS 48 HOURS BEFORE THE EXISTING SCHEDULED DATE. IF THIS CAN NOT BE ACHIEVED, COUNSEL ARE TO CALL OUR PART CLERK.
	Scheinkman	All questions about scheduling appearances or adjournments should be addressed to the Part Clerk, Maryann Tamberella, at (914) 824-5348. Do not contact Chambers regarding such issues. Requests for adjournment of matters appearing on the weekly Commercial Calendar should be made by not later than 3:00 p.m. on the day before. Requests made after that will likely not be granted. All requests for adjournments must be made with the request of all opposing counsel and, if approved by the Court, confirmed by a signed Stipulation of all counsel. If consent cannot be obtained, then the requesting counsel must either arrange for a conference call with the Court and, if one cannot be timely arranged, then the application must be made at the call of the calendar.
	Scheinkman	<ol style="list-style-type: none"> 1. Counsel may call the Part Clerk with respect to the scheduling of appearances and with respect to adjournment applications. 2. Counsel may call Chambers and/or the Part Clerk to arrange for a telephone conference with the Court or with the Law Secretary. 3. Counsel may not contact Chambers without all opposing counsel on the phone, except for the purpose of facilitating a conference call.

E-filing Rules		
District / County	Justice	Part Specific Rule
New York		
	Friedman	All cases in Part 60, except cases involving pro se litigants, must be electronically filed through the New York State Courts E-Filing (NYSCEF) system. Attorneys are expected to familiarize themselves with NYSCEF procedures which are available at https://iapps.courts.state.ny.us/fbem/mainframe.html .
	Oing	All cases in Part 48 are required to be electronically filed through the New York State Courts E-Filing (NYSCEF) system, except cases involving pro se litigants. All submissions to the Court (including briefs, proposed Orders and Judgments, and letters) are required to be electronically filed. Attorneys are expected to familiarize themselves with NYSCEF procedures, which are available at the NYSCEF website, https://iapps.courts.state.ny.us/fbem/mainframe.html .
	Ramos	E-Filing: Please note that as of May 24, 2010, E-filing is mandatory in all commercial cases filed in New York County. For any questions with respect to E-filing rules and procedures, call the E-filing Office at (646) 386-3610. E-filing sample forms and notices are available at: http://www.nycourts.gov/suptctmanh/E-Filing.htm
	Ramos	Opt-out: If parties are eligible and wish to opt-out from participating in mandatory E-filing, they must file a Notice of Opt-Out (Note: all forms can be found on the E-Filing Website).
Suffolk		
	Emerson	All parties should familiarize themselves with the Commercial Division Rules and Suffolk County's E-Filing Protocol, available at www.nycourts.gov
	Pines	All parties should familiarize themselves with the statewide E-Filing Rules (Uniform Rule §§ 202.5-b and 202.5-bb, available at www.nycourts.gov/efile) and the Suffolk County E-Filing Protocol (available at http://www.nycourts.gov/courts/10jd/suffolk/efiling/index.shtml). General questions about e-filing should be addressed to the E-Filing Resource Center at 646-386-3033 or efile@courts.state.ny.us . All submissions to the Court in E-Filed cases, including but not limited to motions, proposed orders, proposed judgments, and correspondence, must be electronically filed.
	Pines	Where an action is subject to e-filing and a party or attorney seeks to file a document therein in hard copy, this Part will not accept the hard copy unless it includes the notice required by Uniform Rule § 202.5-b(d)(1), a form for which is available at www.nycourts.gov/efile .
Westchester		
	Jamieson	All parties should familiarize themselves with the statewide E-Filing Rules (available at www.nycourts.gov/efile) and the Westchester County E-Filing Protocol (available at http://www.nycourts.gov/courts/9jd/efile/WestchesterCountyJointProtocols.pdf) and 202.70 of Uniform Civil Rules of the Supreme and County Courts as amended on 7/1/10. General questions about e-filing should be addressed to the E-Filing Resource Center at 646-386-3033 or efile@courts.state.ny.us .
	Jamieson	Mandatory e-filing of all Commercial Division actions through the New York State Courts E-Filing system (NYSCEF) began on February 1, 2011. Submissions to the Court including motion papers, proposed orders, proposed judgments, and letters must be electronically filed. Pre-trial submissions are not to be filed electronically, and shall be delivered to the Court at the Pre-Trial Conference or as the Court may otherwise direct.
	Scheinkman	All parties should familiarize themselves with the statewide E-Filing Rules (available at www.nycourts.gov/efile) and the Westchester County E-Filing Protocol (available at http://www.nycourts.gov/courts/9jd/efile/WestchesterCountyJointProtocols.pdf) and 202.70 of Uniform Civil Rules of the Supreme and County Courts as amended on 7/1/10. General questions about e-filing should be addressed to the E-Filing Resource Center at 646-386-3033 or efile@courts.state.ny.us .

District / County	Justice	Part Specific Rule
	Scheinkman	Mandatory e-filing of all Commercial Division actions through the New York State Courts E-Filing system (NYSCEF) is scheduled to begin on February 1, 2011. Submissions to the Court including motion papers, proposed orders, proposed judgments, and letters (after prior permission to send such letters is provided), must be electronically filed. Pre-trial submissions are not to be filed electronically, and shall be delivered to the Court at the Pre-Trial Conference or as the Court may otherwise direct.

Confidentiality and Sealing Rules		
District / County	Justice	Part Specific Rule
New York		
	Bransten	Any order regarding the confidential exchange of information shall be based on the Proposed Stipulation and Order for the Production and Exchange of Confidential Information prepared by a committee of the New York City Bar Association for use in the Commercial Division, available on the Bar Association's website at: http://www.nycbar.org/pdf/report/ModelConfidentiality.pdf
	Bransten	If the parties believe there is good cause to deviate from the above model, the parties shall submit: (1) a copy of the parties' proposed confidentiality order; (2) a redline of the document showing the deviations from the form listed above at Point One; and, (3) a letter to the Court explaining the reasons for such changes. Any opposition to the proposed changes shall be submitted no later than three business days after the proposed order, redline, and accompanying letter are sent to the court.
	Bransten	The sealing of any document, or portion thereof, submitted to the court must be done by motion showing proper reason to seal, and "good cause" therefor, pursuant to 22 NYCRR § 216.1.
	Friedman	Any order regarding the confidential exchange of information should be based on the Proposed Stipulation and Order for the Production and Exchange of Confidential Information prepared by a committee of the New York City Bar Association for use in the Commercial Division available at http://www.nycbar.org/pdf/report/ModelConfidentiality.pdf . If the parties seek to deviate from the Model Form, they should submit a redlined version of their proposed order indicating their changes.
	Kornreich	Parties shall use the confidentiality agreement and order available at: http://www.nycourts.gov/courts/comdiv/PDFs/Part54_Confidentiality_Agreement.PDF . Any changes that the parties wish to make to the order shall be electronically filed and submitted to the court with a redlined copy of the court's form agreement. A confidentiality agreement between the parties and approved by the court is for the purpose of disclosure only. Any party, who wants to submit a document designated as confidential to the court in connection with a motion, must make a motion to seal, pursuant to 22 NYCRR 216, to maintain confidentiality of the document. Documents should be e-filed under seal in connection with the sealing motion, with a courtesy copy and electronic filing receipt delivered to chambers in a sealed envelope marked confidential.
	Oing	Any order regarding the confidential exchange of information will be based on the Proposed Stipulation and Order for the Production and Exchange of Confidential Information, prepared by the New York City Bar Association for use in the Commercial Division, available on the Bar Association's website at: http://www.nycbar.org/pdf/report/ModelConfidentiality.pdf (the "Model Form"). If the parties believe there is good cause to depart from the Model Form, they should submit their proposed order, along with a brief letter explaining the necessity of their suggested changes.
	Oing	Applications to seal documents shall include the nature of the document, reason for the sealing request, and "good cause" therefor (22 NYCRR § 216.1). The Court will consider the application to seal documents by stipulation or motion.
	Oing	Any party wishing to provide the Court with any motion paper, including any notice or memorandum of law, affidavit or declaration in support of such motion, that attaches, affixes, summarizes or excerpts Confidential or Highly Confidential information shall redact all such Confidential or Highly Confidential information before submitting the papers to the public file. On the appropriate return date, or on any other date ordered by the Court, a fully, unredacted copy of the motion papers shall be provided to the Court in Chambers labeled as follows: "Unredacted Chambers Copy – Redacted Copy Filed Pursuant to Court Order." After such motion is decided, the Court may, in its discretion, return the "Unredacted Chambers Copy" to the moving party, who will be required to maintain such documents pending the final outcome of the action, including any appeals, after which time the documents shall be disposed of pursuant to Stipulation and/or Order.
	Ramos	Confidentiality: Parties shall use the approved confidentiality stipulation and order for the production and exchange of confidential information available here: http://www.nycourts.gov/courts/comdiv/PDFs/2009%20Approved%20Confidentiality%20Stipulation.pdf . If the parties agree that additional language be incorporated into the stipulation, a cover letter shall accompany the submission pointing the Court to the changes and/or attach a red-lined copy.
	Scarpulla	Any order regarding the confidential exchange of information shall be based on the Proposed Stipulation and Order for the Production and Exchange of Confidential Information, prepared by the New York City Bar Association for use in the Commercial Division, available at the Bar Association's website at: http://www.nycbar.org/pdf/report/ModelConfidentiality.pdf (the "Model Form").
	Scarpulla	If the parties believe there is good cause to depart from the Model Form, they must submit their proposed stipulation and order, along with a red-lined version, indicating any departures from the Model Form.
	Scarpulla	Applications to seal documents shall include the nature of the document, reason for the sealing request and "good cause" therefor (22 NYCRR 216.1). The Court will consider the application to seal documents only by order to show cause or notice of motion.

District / County	Justice	Part Specific Rule
	Sherwood	Confidentiality Orders. Any order regarding the exchange of confidential information shall be based on the Proposed Stipulation and Order for the Production and Exchange of Confidential Information, prepared by a committee of the Association of the Bar of the City of New York for use in the Commercial Division, available at: http://www.nycbar.org/pdf/report/ModelConfidentiality.pdf . If the parties believe there is good cause to depart from this model, they should call the Part Clerk to schedule a conference. Please note that documents filed with the court will not be sealed merely on the ground that they are subject to a confidentiality agreement (see <i>Mosallem v Berenson</i> , 76 AD3d 345, 350 [1st Dept 2010]). Where a party wishes to seal a submission, the party shall submit a letter setting forth good cause for the requested relief.

Pro Hac Vice Rules		
District / County	Justice	Part Specific Rule
New York		
	Bransten	All requests for admission must be made by order to show cause or motion and shall be accompanied by an affidavit in support from a member of the Bar of the State of New York and an affidavit and a recent certificate of good standing from the applicant.
	Bransten	The applicant's affidavit must advise the court as to the total number of times the applicant has been admitted pro hac vice in New York. The applicant's affidavit must also advise the court whether he/she has ever been or is presently subject to a disciplinary proceeding.
	Bransten	It is preferred that the parties stipulate to the pro hac vice admission. Inclusion of a stipulation signed by all parties with the motion papers will greatly shorten the application time period.
	Friedman	Requests for pro hac vice admissions should be made by stipulation, if possible. Whether made by motion or stipulation, the request should be accompanied by a proposed order, an affidavit in support from a member of the New York State Bar, an affidavit by the applicant, and a certificate of good standing.
	Kornreich	A request for pro hac vice admission, whether made by motion or stipulation, shall be accompanied by a proposed order and an affidavit in support from a member of the Bar of the State of New York and an affidavit of the applicant and a recent certificate of good standing from the applicant.
	Oing	All applications for admission pro hac vice shall be made by motion. The motion shall include an affidavit of support from a member of the Bar of the State of New York, an affidavit from the applicant, and a recent certificate of good standing from the applicant. The affidavit of the applicant must advise the Court as to the total number of times the applicant has been admitted in New York pro hac vice. The affidavit must also advise the Court whether the pro hac vice applicant has ever been or is presently subject to a disciplinary proceeding. Exhibit A is the form of the proposed order for pro hac vice applications.
	Ramos	Request for admission PRO HAC VICE, whether made by motion or stipulation, shall be accompanied by a proposed order and an affidavit in support from a member of the Bar of the State of New York and an affidavit of the applicant and a recent certificate of good standing from the applicant. (See Order below).
	Scarpulla	Requests for pro hac vice admission should be made by stipulation, if possible, or by motion.
	Sherwood	Requests for Admission Pro Hac Vice. All requests for admission pro hac vice, whether made by motion or stipulation, shall be accompanied by an affirmation in support from a member of the Bar of the State of New York, an affirmation from the applicant, and a recent certificate of good standing from the applicant. The affirmation must also advise the court whether the applicant has ever been or is presently subject to disciplinary proceedings.

Miscellaneous Rules		
District / County	Justice	Part Specific Rule
New York		
	Friedman	These Practices & Procedures supplement the Commercial Division Rules.
	Friedman	The following requirements shall apply in addition to those set forth in Commercial Division Rules 7-15.
	Kornreich	All attorneys and pro se litigants must provide their contact information to the Trial Support Office, Room 158M, at 60 Centre Street, New York, NY 10007, by filing a notice of appearance. All attorneys who appear in Part 54 must provide the Part Clerk with a business card that has the attorney's current contact information.
	Ramos	All attorneys or pro se litigants must provide their contact information to the Trial Support Office, located in Room 158M.
	Ramos	<p>Procedures for Inquests: A party requesting an inquest in Part 53 shall submit the following information or documents to the Court:</p> <p>(1) An affidavit from a person with knowledge of the facts setting forth how damages are computed.</p> <p>(2) Attorney's affirmation setting forth a brief recitation of the facts and the grounds for liability. The affirmation should also discuss the damages incurred by the party.</p> <p>(3) Exhibits should be submitted in support of all requests for damages. For example: - if the relief is attorneys' fees, the attorney's affirmation should attach the billing statements describing the activity, the identity and title of the person performing the activity, time, date, and billing rate. - if the relief is for lost profits, financial statements for comparative time periods should be provided.</p> <p>(4) Whenever counsel believes it would assist the Court, affidavits from experts (i.e., accountants, appraisers, etc.) should be submitted.</p> <p>(5) Proof of service must be filed indicating that all papers and exhibits submitted to the Court have been served on opposing parties.</p> <p>(6) A proposed finding of fact and a proposed order for this Court should be submitted, by e-mail at RCE53@courts.state.ny.us.</p> <p>(7) Any additional submissions that will be helpful to the Court should be provided.</p> <p>(8) Papers in opposition should follow the same format as set forth above.</p> <p>(9) For inquests that were not granted on default, do not submit evidence on causes of action that have been previously dismissed or on which no liability was found.</p> <p>(10) Failure to properly document damages will result in the rejection of the inquest.</p>
		<p>Class Action Settlements: The settlement of class actions pending in Part 53 shall be governed by the following guidelines (when circumstances warrant, exceptions will be made).</p> <p>A. All notices to members of the proposed class shall be in plain English. A typical member of the class should be able to easily comprehend each notice. Class counsel must draft such notices consistent with their professional obligation to fully disclose to their clients the significance of the information provided.</p> <p>B. The issue of class certification is not a matter for stipulation between the parties unless prior permission from the Court is obtained, or settlement is without prejudice as provided below in Paragraph 3. Otherwise, a finding that certification of the class is appropriate will be made at an adversarial hearing.</p>

District / County	Justice	Part Specific Rule
	Ramos	<p>C. The failure to opt out of the class will not result in a release unless a class member accepts the settlement benefit or knew or should have known that a failure to opt out will result in a release. Proof of actual delivery of a pre-approved intelligible notice, written in plain language will suffice. In addition, this Court will approve the terms of a settlement that provides for a portion of the settlement fund to be held in escrow following discontinuance of the class action and pending the expiration of any applicable statute of limitations period, to be used toward any separate, potential claims by those who have not responded or have not opted in. In such event, any unused funds would be released to the original class following expiration of the limitations period. Unless permitted by this Court, the terms of the settlement shall not require the class members to opt out or take other action to preserve an existing right.</p> <p>D. Where applicable, the procedure to be followed by class members in applying for the settlement benefit shall be simple and shall not require the class member to provide information or documents not required in the first instance to purchase the product or service other than what is reasonably necessary, such as name, address and proof of purchase (if not otherwise determinable from the parties own records). When practicable, the benefit shall be forwarded to the class members in the manner of an account credit or a refund on a product return.</p> <p>E. A summary of counsel's application for fees, which shall include the basis and justification for the calculation, shall accompany any notice of proposed settlement. This is required without regard to the source of the fee payment. No fee shall be approved unless it bears a reasonable relationship to the benefit actually accepted by the members of the class and is reasonable in light of the risk to counsel of no recovery. Fee calculations may not be based on the potential value of the settlement; rather, fee awards will be awarded in light of the benefits actually received by class members.</p> <p>F. The Court may appoint independent counsel to represent the proposed class members on the question of class certification, fees to be awarded class counsel or any other issue where the Court is unable to determine the relative strengths of the parties' positions, or if the settlement raises questions about collusion or the ability of plaintiffs' counsel to represent the interests of the class.</p> <p>G. The Court will not "preliminarily" approve any settlement prior to the hearing on fairness.</p> <p>H. A member of the proposed class may object orally at the fairness hearing or in writing without the need to notify counsel or to file written objections prior to the hearing.</p> <p>I. Notwithstanding Paragraph 1 above, a copy of these rules must be appended to each notice to class members.</p>
	Scarpulla	<p>"eTrack" is a case tracking service that enables parties to track active Civil Supreme Court cases and to receive notice of scheduled appearances. All parties or their counsel must be registered for the eTrack service for all Part 39 cases. To register or log-in please visit: http://iapps.courts.state.ny.us/webcivil/etrackLogin.</p>

District / County	Justice	Part Specific Rule
	Sherwood	<p>Inquest Procedures. A party requesting an inquest shall submit the following information or documents:</p> <p>A. An affidavit from a person with knowledge of the facts setting forth how damages are computed.</p> <p>B. Attorney's affirmation setting forth a brief recitation of the facts and the grounds for liability. The affirmation should also discuss the damages incurred by the party.</p> <p>C. Exhibits should be submitted in support of all requests for damages. For example: - if the relief is attorneys' fees, the attorney's affirmation should attach the billing statements describing the activity, the identity and title of the person performing the activity, time, date, and billing rate. - if the relief is for lost profits, financial statements for comparative time periods should be provided.</p> <p>D. Whenever counsel believes it would assist the court, affidavits from experts (i.e., accountants, appraisers, etc.).</p> <p>E. Proof of service must be filed indicating that all papers and exhibits submitted to the court were served on opposing parties.</p> <p>F. Proposed findings of fact and a proposed order should be e-filed.</p> <p>G. Any additional submissions that will be helpful to the court.</p> <p>H. Papers in opposition should follow the format set forth above.</p> <p>I. For inquests that were not granted on default, do not submit evidence on causes of action that have been previously dismissed or on which no liability was found.</p>

INTERNATIONAL ARBITRATION PART RULES -- PART 53

These International Arbitration Part Rules supplement the Part 53 Practice Rules, which shall govern any matters not specifically addressed in these rules.

Parties to international arbitration-related matters before this court should familiarize themselves with the following rules and resources:

- a. The Part 53 Practice Rules and Rule 202.5-b of the Uniform Rules for the New York State Trial Courts, which addresses electronic filing.
- b. CPLR Article 75—Arbitration.
- c. The Federal Arbitration Act, (FAA) 9 U.S.C. § 1 et seq.
- d. The Convention on the Recognition and Enforcement of Foreign Arbitral Awards ("New York Convention"), June 10, 1958, 21 U.S.T. 2517, 330 U.N.T.S. 38, if applicable.
- e. The Inter-American Convention on International Commercial Arbitration ("Panama Convention"), Jan. 30, 1975, S. Treaty Doc. No. 97-12, O.A.S.T.S. No. 42, 14 I.L.M. 336, if applicable.

If the parties wish to avail themselves of these International Arbitration Rules, they are strongly advised to include a forum selection clause in their contracts that explicitly waives the right of removal to Federal court, which is otherwise available under the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards and chapter 2 of the FAA. In this regard, please see *Yakin v Tyler Hill Corp.* (566 F3d 72 [2d Cir 2009] ["Parties are free to bind themselves to forum selection clauses that trump what would otherwise be a right to remove cases to federal courts"]).

It is the policy of New York State to enforce arbitration agreements and awards, as set out in CPLR 7501: "A written agreement to submit any controversy thereafter arising

or any existing controversy to arbitration is enforceable without regard to the justiciable character of the controversy and confers jurisdiction on the courts of the state to enforce it and to enter judgment on an award."

This Court will enforce the parties written agreements and applicable conventions governing international arbitrations with regard to all matters, including restrictions or limitations on the right to discovery, provisional remedies and the rules of evidence.

In all regards, it is preferable that the applicable convention be incorporated by reference in the agreement to arbitrate.

1. A Special Proceeding in accordance with CPLR 7502 shall be used to bring before the Court the first application arising out of an arbitrable controversy which is not otherwise made by motion in a pending action. All subsequent applications shall be made by motion in the special proceeding or in the action in which the first application was made.
2. Any party making an application arising out of an arbitrable controversy, whether or not it is the first such application, shall include with the application the full text of the arbitration agreement and any other contractual provisions that govern the dispute resolution process.
3. Applications for the following relief shall be made by motion on notice or on an expedited basis by Order to Show Cause:
 - a. Orders to compel arbitration or to stay an action. CPLR 7503(a).

- b. Orders to confirm an award. CPLR 7510.
- c. Orders to vacate or modify an award. CPLR 7511.

The following applications should be made only by order to show cause:

- a. preliminary injunction.
 - b. A stay of arbitration.
 - c. Disclosure to aid in arbitration.
 - d. An Order of Attachment.
4. Unless the parties stipulate to the contrary or extraordinary circumstances are present, all motions and applications shall be decided within 60 days of oral argument and any party may for any reason request an expedited decision.
- a. Applications by letter may be on consent for the appointment of an arbitrator and for a direction that the arbitrator proceed promptly with the hearing. Absent consent, a motion is required.
5. In the event the Court appoints an arbitrator, the court will appoint a sole arbitrator unless the parties have agreed otherwise. Arbitrators shall be selected by this Court from a list or source agreed to by the parties or from the Unified Court System's Fiduciary Eligibility List.
6. Counsel should note that The United States is a party to two significant international conventions that promote the enforcement of arbitration agreements and the recognition and enforcement of arbitral awards. They are:

- a. The Convention on the Recognition and Enforcement of Foreign Arbitral Awards, June 10, 1958, 21 U.S.T. 2517, 330 U.N.T.S. 38 ("New York Convention"), and the Inter-American Convention on International Commercial Arbitration, Jan. 30, 1975, S. Treaty Doc. No. 97-12, O.A.S.T.S. No. 42, 14 I.L.M. 336 ("Panama Convention").
- b. The New York Convention refers to the laws of its member states to determine whether an arbitration should be considered international. See New York Convention, Art. I(1) (covering "awards made in a territory of a State other than the State where the recognition and enforcement of such awards are sought" and awards "not considered as domestic awards in the State where their recognition and enforcement are sought").

The Federal Arbitration Act sets forth the following test to determine whether a matter falls under the New York Convention:

An arbitration agreement or arbitral award arising out of a legal relationship, whether contractual or not, which is considered as commercial, including a transaction, contract, or agreement described in section 2 of this title, falls under the Convention. An agreement or award arising out of such a relationship which is entirely between citizens of the United States shall be deemed not to fall under the Convention unless that relationship involves property located abroad, envisages performance or enforcement abroad, or has some other reasonable relation with one or more foreign states. For the purpose of this section a corporation is a citizen of the United States if it is incorporated or has its principal place of business in the United States.

7. Counsel are reminded that any request to assign or to transfer an action or

proceeding to Part 53 requires that a copy of the Administrative Order of the Administrative Judge for Civil Matters of the First Judicial District must accompany such request. A copy of said order is available from the Commercial Division website at:

http://www.nycourts.gov/courts/comdiv/PDFs/Practices_in_Part_53.pdf.

Special Rules for the Onondaga County Commercial Division Tax Certiorari Part

1. Appearances are not required on the initial return date of a Real Property Tax Law Article 7 (Judicial Review) proceeding. If the Article 7 is brought as a hybrid proceeding a return date appearance will be mandatory. Also, counsel should be aware that RPTL §712 denials do not apply to Article 78 or declaratory actions.
2. The Court *sua sponte* will dismiss any case pending for four years or more without a trial note of issue.
3. A party waives its right to demand a bill of particulars unless the demand is served with the answer.
4. Pursuant to CPLR §408, leave of the court is required for disclosure except for a notice under §3123.
5. A motion to strike a trial note of issue must be made within twenty (20) days of service of the trial note of issue. A party's failure to move within this time frame serves as a waiver of all objections to the trial note of issue.
6. After a trial note of issue is filed, the parties will be notified to attend a tax certiorari calendar call or conference ("calendar call"). At the calendar call, the parties must agree on the terms of a Tax Certiorari Stipulation and Order ("TC Stipulation and Order"). A copy of a blank TC Stipulation and Order can be found on the New York State Commercial Division website at www.nycourts.gov/courts/comdiv/. Among other things, the TC Stipulation and Order must include an appraisal exchange date, valuation date, equalization rate, and the size and location of the property.
7. The executed TC Stipulation and Order must be filed in the Onondaga County Clerk's Office.
8. The appraisal exchange date may not be extended without prior approval of the Court.
9. Any objection to the admissibility of an appraisal is waived unless an opposing party files specific objections, in writing, within thirty (30) days of service of the appraisal. A response must be filed within twenty (20) days of service of the objections.

10. Upon any motion for summary judgment, there shall be annexed to the notice of motion a separate, short and concise statement, in numbered paragraphs, of the material facts as to which the moving party contends there is no genuine issue to be tried. Papers opposing a motion for summary judgment shall include a correspondingly numbered paragraph responding to each numbered paragraph in the statement of the moving party and, if necessary, additional numbered paragraphs containing a separate short and concise statement of the material facts as to which that party contends that there exists a genuine issue to be tried. Each numbered paragraph in the statement of material facts required to be served by the moving party will be deemed admitted for purposes of the motion unless specifically controverted by a correspondingly numbered paragraph in the statement required to be served by the opposing party. See Rule 19-a of the Rules of the Commercial Division of the Supreme Court, 22 NYCRR 202.70.
11. In lieu of an opening statement, the parties must file a pre-trial memorandum of law at least seven (7) days before commencement of the trial. The pre-trial memorandum of law must outline both the stipulated and disputed facts and issues and shall not exceed five (5) pages in length.
12. At the conclusion of a tax certiorari trial, the parties must order the trial transcript. Within thirty (30) days after receipt of the trial transcript, each party must submit to the Court an electronic and hard copy of proposed findings of fact and conclusions of law indexed to the transcript.
13. Unless modified by these rules, the parties must comply with Uniform Rules of the Trial Court, 22 NYCRR 202.59 and the Onondaga County general rules for non-jury trials which can be found on the Fifth Judicial District website at <http://www.nycourts.gov/courts/5jd/>.