

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X Present: Shirley Werner Kornreich
Justice
IAS: Part 54

Plaintiff(s),

Index No.: _____

-against-

**PRELIMINARY CONFERENCE
ORDER
COMMERCIAL DIVISION**

Defendant(s).

-----X

APPEARANCES:

Plaintiff(s): _____

Defendant(s): _____

It is hereby ORDERED that disclosure shall proceed as follows:

(1) Paper Discovery Demands:

(a) Demand for a bill of particulars, demand for discovery and inspection, and interrogatories shall be served by all parties on or before _____.

(b) Responses shall be served by all parties on or before _____.

(c) Third party subpoenas, requests for commissions and letters rogatory shall be served or submitted by _____.

(2) Electronic Discovery:

Have all parties met and conferred about how electronic discovery will be conducted?

Yes _____ No _____

Have the parties entered into a stipulation governing electronic discovery?

Yes _____ No _____

The parties will enter into and e-file a stipulation governing electronic discovery by _____, or a telephone conference will be held on _____ at _____ at which time the Court will order the manner in which electronic discovery will be conducted.

(3) Depositions:

(a) Party depositions to be completed by: _____.

(b) Non-party depositions to be completed by: _____.

(c) Post-deposition document demands must be served within 20 days of the deposition giving rise to the demand.

(4) End of Fact Discovery:

(a) All fact discovery to be completed by: _____.

(5) Expert Discovery:

(a) Expert reports to be exchanged by: _____.

(b) Rebuttals to be exchanged by: _____.

(c) Expert depositions to be completed by: _____.

(5) Impleader:

(a) Impleader must be completed within 20 days of the disclosure giving rise to the impleader.

(6) Note of Issue:

(a) Plaintiff shall file a note of issue/certificate of readiness by: _____.

(b) A copy of the order setting the note of issue filing date shall be served and filed with the note of issue.

(7) Motions:

(a) All discovery motions **must** be made by order to show case (including motions to compel, motions for a protective order, and motions to seal).

(b) Nothing may be filed by the parties under seal unless a motion to seal has been granted. Motions to seal are rarely granted and the party moving to seal must establish good cause. The parties must move to seal and follow Part 54's Practices regarding Confidentiality with respect to the motion.

(c) All dispositive motions shall be made no later than 60 days after the note of issue is filed.

(d) Service of motions pursuant to CPLR 3211 or 3212 shall not stay discovery absent further court order.

(e) Motions to reargue or renew shall not be filed until the parties contact the court for a pre-motion telephone conference during which the court will instruct the parties how such motion is to be briefed. The parties are urged to be mindful of the deadline for filing these motions and should contact the court promptly to ensure that the pre-motion conference is held well in advance of the deadline.

(8) Compliance Conferences:

(a) A Compliance Conference shall be held on _____.

(b) The parties must bring copies of all disclosure orders to all conferences.

(c) Discovery disputes between conferences shall be resolved by calling chambers on Monday through Thursday between 4:00 and 5:30 at 646-386-3363 with all parties who have appeared on the line.

THE DATES SET FORTH HEREIN MAY NOT BE ADJOURNED EXCEPT WITH APPROVAL OF THE COURT

SO ORDERED:

Dated: _____, *J.S.C.*

ADDITIONAL DIRECTIVES

SO ORDERED:

Dated: _____, *J.S.C.*