

Justice Peter J. Kelly
Part 16
Courtroom 42
Ctrm: 718-298-1113

1. No telephone inquiries concerning motions or applications may be made to chambers.

All such inquiries must be made to the Motion Support Office (718-298-1009), the Ex Parte Office (718-298-1018) or the Clerk of Part 16 (718-298-1113).

Preliminary Conferences

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 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.

All preliminary conferences shall be held on WEDNESDAYS at 9:30 a.m. at the Preliminary Conference Part, Room 314, of the courthouse, and 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 a preliminary conference shall be made to the Preliminary Conference Part at 718-298-1046.

Compliance Conferences

Compliance conferences shall be held on the date scheduled in the Preliminary Conference Stipulation and Order. Compliance conferences shall be held before Justice Martin Ritholtz in Room 313.

Any inquiry pertaining to a conferences conference shall be made to the Compliance Conference Part at 718-298-1093.

Motion Practice

The motion calendar will be called every Tuesday at 9:30 a.m. promptly. A second calendar call will follow shortly thereafter.

Mandatory appearance is required by counsel with knowledge of the case and with full authority to settle or enter into binding stipulations on the return date.

On the return date, motions will be conferenced and/or orally argued at the discretion of the Court.

Do not call Part 16 or Chambers for adjournments as **NO ADJOURNMENTS WILL BE GRANTED BY TELEPHONE.**

Motions may be adjourned on consent provided a written stipulation of counsel is submitted to the Court prior to the return or adjourn date. All stipulations must contain the signature of the attorney consenting to the adjournment. A form which contains only the name of the firm on the stipulation will not be accepted. **Stipulations must also contain a schedule for exchange of opposition and reply papers occurring prior to the adjourn date.** Stipulations may be submitted by calendar service or non-attorneys.

If consent for an adjournment can not be obtained, an application must be made to Justice Kelly by counsel on the return date. Calendar service or non-attorneys **will not** be permitted to make applications for adjournments.

Under no circumstances will motions be adjourned more than twice. Motions relating to discovery may be adjourned only once.

Answering and reply papers will be accepted only on the return date in the Part. The Court will not consider papers sent to Chambers or the Part after submission. Papers will not be accepted from calendar service if a personal appearance by counsel is required. Courtesy copies of papers are **NOT** required.

Motion Papers and Ex-Parte Applications

All motions and ex-parte applications submitted shall be in compliance with Uniform Rule §202.5. In addition to these requirements, all pages and paragraphs must be numbered. All exhibits are to be preceded 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 being lost. **FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION MAY RESULT IN REJECTION OF THE OFFENDING SUBMISSION.**

Infant's Compromise Orders

Applications for infant's compromise orders will only be accepted when submitted to chambers by mail. Before submission of an infant's compromise order, counsel shall obtain from the Clerk of Part 16 an infant's compromise checklist to ensure the submission of all necessary information and documentation. Infant's compromise orders sent to chambers without the required completed worksheet will be returned to counsel.