

DCM PART 6

JUSTICE PHILIP G. MINARDO

26 Central Avenue

Courtroom 430

Staten Island, NY 10301

Chambers: 718-675-8600

Courtroom: 718-675-8602

Fax: 212-952-6471

Law Clerk: Eva-Marie Cusack, Esq.

Part Clerk: Brian Price

MOTIONS:

All motions will be heard and orally argued on Thursdays at 9:30 A.M.

All answering papers must be filed with the Civil Term Motion Clerk at least five (5) days prior to the appearance date with a duplicate copy submitted directly to chambers at the same time [five (5) days prior to the appearance date].

A duplicate copy of all reply papers must be served directly to chambers at least twenty-four (24) hours prior to the appearance date.

All e-filed motions must also have a working copy served on chambers at least five (5) days prior to appearance date or the motion will be administratively adjourned.

Parties are to refrain from making summary judgment motions until all examinations before trial and other related discovery are completed, and must be made within sixty (60) days after the Note of Issue has been filed. Summary judgment motions will not stay discovery without the court's consent.

Motions to either seek or enforce discovery may not be made without court approval.

All settled or submitted orders should be sent directly to chambers.

ADJOURNMENTS:

All adjournments by stipulation or otherwise require prior court approval. All requests for adjournments of either motions or conferences must be made at least 36 hours prior to the scheduled appearance date.

Stipulations must be faxed to chambers at 212-952-6471 immediately on the day the court approves the adjournment.

TRIALS:

COUNSEL SHALL COMPLY WITH THESE RULES WHEN ASSIGNED TO THIS PART FOR TRIAL:

- (1) Prior to trial. Counsel shall furnish to the court marked pleadings pursuant to CPLR §4012.
- (2) Exhibits: Counsel shall pre-mark all exhibits in the order in 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. An exhibit list may be obtained from the court clerk. On the day of trial, the exhibits and the list will be given to the court reporter who will officially mark them before trial.
- (3) Witnesses: Prior to trial, counsel shall provide to the court a list of potential witnesses in the order in which they intend to call them at trial, including expert witnesses, their expertise, and summary of expected trial testimony.
- (4) 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 required by the court.
- (5) Depositions: A copy of depositions intended to be used at trial should be furnished to the court at the commencement of the trial.
- (6) Proposed Jury Charges and Verdict Sheets: All proposed jury charges and proposed verdict sheets shall be submitted to the court by email to ecusack@nycourts.gov prior to the commencement of the court's preliminary instructions to the jury.

CONFERENCES:

Thursday conferences are held at 11:00 A.M. Conferences on all other days are held at 9:30 a.m. Attorneys participating in all conferences must be fully familiar with the facts and circumstances of the matter.

Conferences will be held in the courtroom if the part is not on trial. If the part is on trial, conferences will be held in the conference room to the left of the courtroom. Copies of blank orders can be found in the vestibule of the courtroom.

Preliminary conferences

When appearing on a preliminary conference, complete the entire order including Justice Name MINARDO, Part 6, COMPLEX track, RJI date (found on calendar), and discovery end date (found on calendar as “D/L” to the right of RJI).

Schedule all depositions within ninety (90) days of the preliminary conference date (excluding court holidays).

Schedule your compliance conference on a Tuesday or Wednesday within one hundred (100) days of the preliminary conference date.

Check in with the part or law secretary once your adversary has appeared and your order is complete.

Compliance conferences

Complete an order with all outstanding discovery. Check in with the part once your adversary has appeared and your order is complete.

Default check-in

All one-sided applications will be considered no earlier than 11 a.m.

FAILURE TO COMPLY WITH THESE COURT RULES SHALL BE
ADDRESSED APPROPRIATELY, INCLUDING THE POSSIBILITY OF
PRECLUSION.

(11/15)