

HON. FRANK CARUSO
Angelo A. Delsignore Civic Building
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Niagara Falls, New York 14302
Phone: 278-1815 Fax: 278-1822

Law Clerk:	Robert N. Richardson, Esq.	278-1816	(legal issues)
Secretary:	Michelle Hammerschmidt	278-1815	(scheduling)
Court Clerk:	Nicole Schug	278-1807	(motions/orders)
Court Reporter:	Cindy Williams	278-1819	(transcripts)

MOTIONS

CIVIL MOTIONS WILL BE HEARD ON THURSDAYS AT 9:30 A.M.

INFANT SETTLEMENTS WILL BE HEARD AT 9:15 A.M. IN THE JUDGE'S CHAMBERS.

SPECIAL TERM MOTIONS ARE CALLED BY THE ORDER IN WHICH ATTORNEYS CHECK IN. KINDLY REPORT WITH THE COURT CLERK IMMEDIATELY UPON ARRIVAL.

MOTIONS, CROSS-MOTIONS AND ORDERS TO SHOW CAUSE WILL NOT BE SCHEDULED UNTIL AND UNLESS CHAMBERS RECEIVES A PAID, STAMPED SPECIAL TERM NOTE OF ISSUE SHOWING THE ORIGINAL WAS FILED WITH THE NIAGARA COUNTY CLERK.

CIVIL

All moving papers, answering papers, reply affidavits, memoranda and paid Special Term Notes of Issue, are to be received in Chambers by 3:00 p.m. the Friday before the return date, notwithstanding CPLR 2214(b), any papers submitted after 3:00 p.m. on Friday may result in an adjournment, at the Court's discretion. Affirmation of good faith required for discovery motions. Original papers **with Affidavits of Service** to be supplied to the Court. Oral argument required unless written consent by all attorneys to submit papers is received or the Court directs otherwise. TROs handled on a case-by-case basis. TROs must be on notice to other attorney if known or where a government entity is involved. Orders to Show Cause/TROs on a case assigned to another judge will be signed only upon prior written approval of IAS judge or his/her law clerk. Motions cannot be adjourned generally. The first adjournment can be obtained without Court permission, on consent of all counsel, by informing the court clerk at least twenty-four (24) hours prior to return date.

Late Submissions: All motion papers, including cross-motions, answering affidavits, and reply affidavits must be submitted to the Court within the time periods prescribed herein and the CPLR, unless the Court directs otherwise. **Failure to comply with the filing deadline will result either in an adjournment of the motion or refusal by the Court to consider the untimely submission.**

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ORDERS

Must be submitted within thirty (30) days with indication that the order has been sent out to all opposing counsel or pro se litigant and that no objection has been received. Orders will not be signed unless opposing counsel has had an opportunity to review for at least seven (7) days. However, if no objections are received after ten (10) days, the Order will be signed without further delay.

CONFERENCES

Civil

Preliminary conferences will be scheduled within 45 days of the filing of the RJI and are mandatory. At the conference, a scheduling order may be issued. Pretrial conferences will be scheduled upon completion of discovery. All conferences before IAS judge or designated Court attorney. **Pleadings, including Summons, Complaint, Answer and Bill of Particulars, must be submitted seven (7) days prior to the preliminary conference.** Adjournments will be granted only with consent of all attorneys and subject to Court approval.

TRIALS and REFERENCES

Civil

Adjournments granted by the Judge only. Pleadings, list of witnesses, proposed jury charge and verdict sheets and papers on motions *in limine* required **one (1) week in advance. Deadline on expert disclosure**, without good cause shown, are to be exchanged thirty (30) days before the commencement date of trial. Jury selection begins at 9:30 a.m. on Tuesday. Charge conference with the Judge after proof completed with results put on record upon request.