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Supreme Court Justice

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Motions

Cattaraugus County: Motions will be heard on the 1st and 3rdth Thursday of each month in Little Valley.

Times: General Civil motions will be heard at 9:30 a.m.; Civil Summary Judgment Motions at 10:00 and 10:30 a.m.; Matrimonial, Article 81 and Infant Settlement matters will be heard at 2:00 p.m.

Other Counties will be scheduled as needed.

General Motion Practice:

All moving papers, with a working copy for the Judge, must be received by the Court Clerk no later than ten days in advance of the return date, together with a Special Term Note of Issue. All other papers must follow CPLR rules, with the Court receiving any responsive papers contemporaneously with opposing counsel. All papers, including Reply papers, must be received by the court at least two(2) business days before the return date. **The Court requests that a second copy of all papers be delivered to Ms. Wincott at the Buffalo Office on the same time schedule.**

Late submissions may result in adjournment at the Court's discretion or refusal by the Court to consider the untimely submission.

No service accepted by FAX. TRO's on a case-by-case basis, on notice to opposing counsel. Motions cannot be adjourned generally and may be adjourned by contacting the secretary or court clerk. Consent of opposing counsel is necessary for all adjournments unless court directs otherwise.

Summary Judgment Motions: Such motions are limited to 3 cases on each Special Term date.

Disclosure Motions: A motion relating to discovery may not be made without first conferring with the Court. Counsel wishing to make a discovery motion must submit a written request to the Court for a pre-motion conference, explaining the nature of the dispute and the relief sought, on notice to all counsel. A conference with the Court or the Judge's Clerk will then be had in an effort to resolve the dispute, before such a motion may be made.

Motions in Limine: Motions *in limine* are heard at the special term immediately preceding jury selection.

Orders

Unless otherwise directed by the court, orders are to be submitted by the prevailing party. A copy of the decision portion of the motion transcript or the written decision, which ever is applicable, is to be attached to any order submitted. Orders submitted are to include an indication that the order has been sent to all opposing counsel prior to submission to the court. Orders will be returned by mail if a self-addressed, stamped envelope is provided to the court.

Conferences

Conferences are generally held in Little Valley at any time on Monday and Tuesday, or on Friday mornings. Cases involving all Buffalo Attorneys may have conferences at the Buffalo office. A preliminary conference will be scheduled upon court receipt of an RJI. Pre-trial conferences are scheduled upon court's receipt of calendar Note of Issue. All conferences before IAS Judge or Law Clerk. Adjournments granted upon agreement of all parties and after obtaining the consent of Chambers. Out of area counsel may appear by phone at preliminary conferences upon prior arrangement with chambers. Trial counsel's personal appearance is required at pre-trial conferences.

Trials

Adjournments generally by Judge only. Any motions regarding the adequacy of expert disclosure are to be made within ten (10) days of receipt of such disclosure. Jury selection forms are to be submitted at least one (1) month prior to jury selection date. Pleadings, expert disclosure, list of witnesses, and papers for motions *in limine* required two (2) week prior to jury selection. Trials will generally be down on Thursdays for Special Term. The court operates on a 9:30 a.m. to 12:30 p.m. and 2:00 p.m. to 4:30 p.m. schedule. Counsel may contact chambers with any specific requests to accommodate expert witnesses.

Requests to charge and proposed verdict sheets are to be submitted at least 2 days prior to the close of proof. Charge conference by informal discussion with results placed on the record upon request.