

HON. CATHERINE NUGENT-PANEPINTO
92 Franklin Street, Part 2, 3rd Floor
Buffalo, New York 14202
Phone: 845-2693 / Facsimile:

**MOTION PAPERS VIA FACSIMILE OR EMAIL BY PRIOR
ARRANGEMENT WITH COURT AND COUNSEL**

Law Clerk:	Kristen M. Wolf	716-845-2597
Secretary:	Kristin J. McCracken	716-845-2693
Court Clerk:	Sally Lemley	716-845-9427

MOTIONS:

Civil and Matrimonial: Thursdays at 9:30 a.m. (Except with prior arrangement). Please call Court Clerk for exact dates prior to scheduling motion. Infant Settlements: Contact Court Clerk to schedule. Motions, cross-motions and orders to show cause cannot be scheduled until there is a paid stamped note of issue showing the original was filed with the Erie County Clerk. Motions for Summary Judgment should be made no later than one hundred twenty (120) days after the filing of the note of issue, except with leave of Court on good cause shown.

All original moving papers, answering papers, memoranda and special term notes of issue should be sent to chambers before 12:00 noon on the Tuesday before the motion return date. If motion papers are not timely served, motion may be adjourned by the court. TROs on notice if other attorney known. No general adjournments. Adjournments granted with consent of parties, subject to Court's approval, by contacting secretary or court clerk. Only stipulated or initialed Orders with consent of opposing counsel should be submitted to the Court for signature.

CONFERENCES:

Civil:

Preliminary conference will be held within forty-five (45) days of the Court's receipt of filed RJI. All conferences before Judge or law clerk. Adjournments granted with consent to all parties, subject to Court's approval, by contacting secretary. At the conference, a scheduling order may be issued.

Matrimonials:

Preliminary conferences will be scheduled upon assignment. Pleadings, discovery demands, 236-B affidavits, motions, responses, prior orders, settlement proposals, proposed stipulations or agreements should be submitted to the Court as far in advance as possible. Adjournments granted with consent of parties, subject to Court's approval, by contacting secretary.

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TRIALS:

Trial dates are considered to be “date certain”. Adjournments granted under certain circumstances. All motions *in limine* should be made returnable prior to jury selection.

Expert disclosure, without good cause shown, should be exchanged thirty (30) days before the commencement date of trial. Any motions regarding the adequacy of expert disclosure should be made within ten (10) days of receipt of such disclosure.

Jury selection begins at 9:30 a.m. on Tuesday, with trial to commence at 9:30 a.m. on Wednesday or whichever date is agreed upon by the parties and Court.

Marked pleadings, requests or charge, proposed verdict sheets and papers for motions *in limine* should be submitted one (1) week prior to beginning of trial. Exceptions made, upon good cause shown. Conferences with Judge upon completion of jury selection. Proposed verdict sheets and requests to charge, may be e-mailed in WordPerfect format, to Judge’s Law Clerk at kwolf@courts.state.ny.us or secretary at kmccrack@courts.state.ny.us.

Charge conference with the Judge after proof completed with results put on record upon request.

Matrimonials:

Referred to law clerk to hear and report on divorces on stipulation, contested economics, post-divorce arrears and post-divorce modifications. Judgments and findings of fact should be submitted on notice to opposing counsel within four (4) weeks of prove-up or decision. If no objections to final papers are received after ten (10) days, submitted papers and/or Orders will be signed without further delay.

Special Requirements on Policy Limits Cases:

If a case with a value in excess of the policy limits is being settled for available insurance coverage, be prepared to submit an affidavit from the insured’s detailing their knowledge of insurance coverage; an affidavit from counsel offering the policy limits detailing their activities in ascertaining the existence of all available insurance coverage, and an affidavit from a principal with the insurance company swearing they have no knowledge of any other insurance coverage.