

**PART RULES JUSTICE NICHOLAS COLABELLA
INDIVIDUAL ASSIGNMENT PART**

E-Filing Rules and Protocol

All parties should familiarize themselves with the statewide [E-Filing Rules](#) (Uniform Rule §§ 202.5-b and 202.5-bb – available at www.nycourts.gov/efile) and the [Westchester County E-Filing Protocol](#) available at-
<http://www.courts.state.ny.us/courts/9jd/efile/WestchesterCountyJointProtocols.pdf>

General questions about e-filing should be addressed to the E-Filing Resource Center at 646 386 3033 or efile@courts.state.ny.us

Specific questions relating to local procedures should be addressed to **the Civil Calendar Office (914) 824-5300**.

Electronic Filing

All actions in Judge Colabella’s IAS Part [NC] are to be filed through the New York State Courts E-Filing system (NYSCEF). All submissions to the Court, including proposed orders, proposed judgments, and letters, must be electronically filed.

Working Copies

A court may require the submission of “working copies” of electronically filed documents. See Uniform Rule § 202.5-b(d)(4).

This Part does not require working copies.

This Part does not require working copies but may request working copies in specific instances.

This Part requires working copies for all electronic submissions.

This Part requires working copies for:

- motion submissions
- proposed orders to show cause
- proposed orders/judgments
- stipulations
- transcripts
- letters

Working copies shall be mailed to the Part Clerk or delivered to:

[X] 12th Floor Lobby Drop Off Basket

All working copies submitted to this Part must include a copy of the NYSCEF Confirmation Notice firmly fastened as the back cover page of the submission and comply with other requirements set forth in the Westchester County Protocol. Working copies without the Confirmation Notice will not be accepted.

Working copies are to be delivered no later than 10:00 a.m. on the first business day following the electronic filing of the document on the NYSCEF site.

Hard Copy Submissions

Part will reject any hard copy submissions in e-filed cases unless those submissions bear the Notice of Hard Copy Submission – E-Filed Case required by Uniform Rule § 202.5-b(d)(1). The form is available at www.nycourts.gov/efile.

Part Procedure

Counsel/parties should address questions about Part Procedure to the Part Clerk, Jude Badaracco, at 914-824-5281.

Motions

Unless an exception is made by the Court, motions are returnable in the Part, rm 1200, on Fridays, at 9:30 a.m. Motions made on any other day will be adjourned by the Court to the next regular motion calendar. Courtesy copies of motions are not required. Sur-replies will not be considered without prior permission of the Court. No papers will be considered after the return date of the motion.

Appearances are not required. Oral argument may be requested by noting “Oral Argument Requested” immediately over the index number on the Notice of Motion. If the Court, in its discretion, requires such argument, the movant’s attorney will be so advised and will be required to notify all parties.

Adjournments

No adjournments of motions will be considered without prior notice to the other party that an adjournment is being sought. Applications to adjourn shall be made to the Part Clerk, Jude Badaracco, at 914-824-5281 by telephone or in writing. The party seeking an adjournment shall advise the Court whether the application is consented to or opposed. If the application is opposed, the party in opposition may request an opportunity to be heard by conference call or in person.

Adjournments of motions are subject to Court approval. If an adjournment is approved, it shall be confirmed in writing with a copy of the letter sent to all parties. Absent good cause, motions will not be adjourned for periods longer than two weeks or granted

more than two adjournments.

General

Counsel who appear at conferences or otherwise must be fully familiar with the case and have authority to enter into any agreement, either substantive or procedural, on behalf of their clients.

Faxes

Faxes will not be accepted without prior permission of the Court.

Settlements & Discontinuances

If an action is settled, discontinued, or otherwise disposed, counsel shall immediately inform the Court by submission of a copy of the stipulation or other document evidencing the disposition.