

**PART RULES FOR
HON. JAMES F. REITZ
Putnam County Courthouse
20 County Center
Carmel, New York 10512
Law Clerk: Cari S. Young
Secretary: Clare M. Mackey
Telephone: 845.208.7875
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MOTIONS

Prior to making any motion, the movant shall write the Court, with a copy to all parties, specifying the relief sought and the basis for that relief. The Court will then schedule either a conference or a conference call with counsel. This procedure does not preclude the moving party from making a motion, but rather, provides the Court with an opportunity to resolve the dispute without the need for a formal written application. Failing resolution of the issue in this manner, the party seeking the relief may proceed with a motion.

All motions and orders to show cause must be filed with the Office of the County Clerk with the appropriate filing fee. The Court will notify counsel of the return date for the Motions.

Appearances on the return date of motions will or will not be required as noted by the Court. 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.

If requested by counsel, the Court may consider sur-replies on a case-by-case basis. Papers, including letters which are sent after the submission of the motion, will not be considered.

Self-addressed, stamped envelopes must be submitted with all motions.

Orders/judgments must also have self-addressed, stamped envelopes and a copy to be conformed if required.

ADJOURNMENTS

Requests for adjournments can be made either by telephone or fax to the Court. Counsel must attempt to gain the consent of all parties. If applicable, an affidavit of engagement must be filed with the Court. **No adjournments will be permitted unless approved by the Court.** If an adjournment is granted by the Court, the requesting party must inform all other parties of the adjourned date and time and copy the Court on that correspondence.

DISCOVERY MATTERS

Counsel must consult with one another in a good faith effort to resolve all disclosure disputes. (See Uniform Rule 202.7). If counsel are unable to resolve a disclosure dispute in this manner, the procedures set forth above regarding motion practice must be followed before a motion may be filed.

CONFERENCES

Preliminary Conference - The attorneys must attempt to complete the Preliminary Conference Order before the conference date. They also must be prepared to discuss with the Court any outstanding motions. Attorneys appearing at preliminary conferences must have full authority to dispose of any outstanding discovery matters or matters involving pending motions. Personal appearances by counsel and parties at the Preliminary Conference are mandatory. Failure to appear at a Preliminary Conference may result in sanctions.

Compliance/Settlement Conferences - Counsel must appear with full authority to discuss settlement. Personal appearances at Compliance/Settlement Conferences by counsel and parties are mandatory unless otherwise ordered by the Court. Failure to so appear or failure to appear with full authority to discuss settlement at this conference may result in sanctions.

Failure to personally appear at a Trial Readiness Conference with full authority to settle may result in sanctions, including striking the pleadings.

TRIALS

Motions - In Limine: Counsel should advise the Court in writing of any issues which they are aware of in advance of trial, which may require a ruling by the Court during the trial.

Exhibits - Prior to the commencement of a trial, counsel shall provide the Court with marked pleadings and an exhibit list.

The attorneys are to pre-mark all exhibits. The court reporter is to be provided with an exhibit list.

Requests to Charge - Requests to charge shall be submitted to the Court as directed at a conference immediately preceding trial. The charge will be drawn from the Pattern Jury Instructions (PJI). A complete list of requested charges is to be submitted. Unless counsel seeks a deviation from the pattern charge or additions to the pattern charge, only the PJI numbers need to be submitted. Where deviations or additions are requested, the full text of such requests must be submitted, with the proposed deviation or addition underlined, together with any supporting legal precedents.

Verdict Sheet - Counsel shall jointly prepare a verdict sheet. The verdict sheet is to be typed and in final form for presentation to the jury. If agreement cannot be reached,

then each side shall prepare a proposed verdict sheet.

GENERAL

The Court should **not** be copied on correspondence between counsel.

Counsel who appear before the Court must be fully familiar with the case and have full authority to enter into any agreement, either substantive or procedural, on behalf of their clients. Counsel must be on time for all scheduled appearances and must bring the full file with them to each Court appearance.

Faxes - Unless otherwise authorized by these Rules, faxes will not be accepted unless it is an emergency and the receipt has been authorized by the Court.

If an action is settled, discontinued or otherwise reaches disposition, counsel shall immediately inform the Court by submission of a copy of the stipulation or other document evidencing the disposition. Where the matter is disposed of but the final stipulation has not been executed by all the necessary parties prior to a scheduled Court appearance, the Court should be notified by letter with proof of copies to all counsel so that the Court may determine if appearances are required. This letter may be sent by fax to the Court.