

HON. NANCY NICOTRA, A.J.S.C.

Supreme Court - Nassau County
judgenicotraremove@nycourts.gov

Principal Law Clerk: Debra Siegel, Esq.

dsiegel@nycourts.gov

Secretary: Charmaine Cooper

ccooper@nycourts.gov

Chambers: (516) 213-0691

Part Clerk: Amber Rolon

arolon@nycourts.gov

courtroom: (516) 213-0690

IAS PART 49 RULES & PROCEDURES
AS OF FEBRUARY 1, 2026

I. COURT APPEARANCES

- A. All court appearances (except for motions), shall be conducted in person, unless the Court directs otherwise.
- B. With respect to in person conferences, all attorneys and pro se litigants must alert the Court Officer or Court Clerk of their presence and complete a sign-in sheet.

If counsel must also appear before another judge, counsel must advise the Part Clerk or Court Officer where counsel can be reached.
- C. Counsel who appear in this Part must be fully familiar with the case for which they appear and fully authorized to enter into agreements on behalf of their clients, both substantive and procedural.
- D. If there are any outstanding motion(s) (submitted or pending) at the time of the conference/trial, the Law Clerk and/or Judge must be so informed of same that day.

Courtesy copies of such motions should be available to the Court at the conference.
- E. Cut-off time to check-in is 11:00 a.m.

II. COMMUNICATION WITH CHAMBERS

- A. All correspondence should be sent through NYSCEF with a courtesy copy sent to judgenicotraremote@nycourts.gov.
- B. Courtesy copies of written correspondence to chambers are to be simultaneously delivered to any parties not appearing through NYSCEF. Ex parte communications will not be entertained.

III. ADJOURNMENTS

A. ADJOURNMENTS FOR CONFERENCES

1. Adjournments for Conferences on Consent

Applications to adjourn conferences on consent must be received by Chambers via email {judgenicotraremote@nycourts.gov}, as well as NYSCEF, by 4:00 p.m. on the business day prior to the conference date.

Applications must be made by completing the Request for Adjournment Form attached hereto. The Request for Adjournment Form is to be filled out completely. Incomplete forms or forms received after 4:00 p.m. on the business day prior to the conference date or return date shall be summarily denied, unless the Court is advised of extraordinary circumstances.

Letters should be filed via NYSCEF confirming adjournments and shall state that the Court has adjourned the conference on consent of the parties to the specified date, and shall contain the full caption, including the Index Number, a notation indicating the current date the matter is on the Court's calendar, and that all parties have been simultaneously copied.

2. Adjournments for Conferences Not on Consent

The party seeking an adjournment for which consent has not been given must contact the Court, as well as all parties, and arrange for communication between all parties to discuss the adjournment via telephone conference, if the Court decides that a telephone conference is necessary. In the Court's discretion, an adjournment may be granted over objection without a telephone conference being held.

3. Adjournments when Counsel is on Trial

If the application is based on counsel's actual engagement on another matter, an Affirmation of Actual Engagement, in conformity with 22 NYCRR Section 125, must accompany the Request for Adjournment form.

All attorneys and pro se litigants shall be notified of all adjournment requests prior to said request being made to the Court.

B. ADJOURNMENTS FOR PRELIMINARY CONFERENCE

Preliminary Conference adjournments are to be addressed to the DCM Clerk's office and not to Chambers.

C. ADJOURNMENTS FOR MOTIONS

1. Adjournments for Motions on Consent

Applications to adjourn motions on consent must be received by Chambers via email by 4:00 p.m. on the business day prior to the return date of the motion.

2. Adjournments for Motions Not on Consent

The party seeking an adjournment of a motion for which consent has not been given must contact the Court, as well as all parties, and arrange for communication between all parties to discuss the adjournment with the Court

via phone conference. In the Court's discretion, an adjournment may be granted over objection without a telephone conference being held.

IV. MOTIONS

A. PRE-MOTION DISCOVERY

All motions relating to discovery require a conference before the return date of the Motion or Order to Show Cause, unless otherwise specifically waived by the Court. The movant shall email the Court, copying all other parties, to schedule same.

B. SUBMISSION OF THE MOTION

1. Prior to submission, the Court is to be provided with courtesy paper copies of all papers submitted on the motion.
2. Motions shall be made returnable on a Friday and **shall be marked submitted** on such date, subject to the demands of the Court's calendar. In the event that the Court does not receive courtesy paper copies of all papers, the motion will be adjourned for two weeks to allow for the delivery of such courtesy copies.
3. All motions, other than discovery motions, are on submission only unless otherwise directed by the Court.
4. Replies are not permitted on OSC applications and sur-replies are not permitted on any and all motions.
5. If all or part of a submitted motion is settled, counsel shall notify the Court by letter setting forth the motion sequence number, the date the motion was submitted, what aspects of the motion have been settled and what issues remain to be decided. If the motion is resolved in its entirety, the movant

shall indicate same and indicate that the motion is withdrawn. The letter shall be accompanied by the original Stipulation of Settlement, a copy of which must be uploaded to NYSCEF and sent to chambers via email at judgenicotraremove@nycourts.gov. If the motion is resolved on the record, in whole or in part, the movant shall obtain such transcript so that same can be "SO ORDERED," unless the Court directs otherwise.

V. HEARING & TRIAL RULES

- A. A trial conference with the Court shall be held prior to the commencement of all trials.
- B. Motions *in limine*, marked pleadings, requests to charge, contentions, and proposed verdict sheets shall be submitted at the trial conference, or as soon as practicable.

Note: All exhibits shall be pre-marked for identification prior to the commencement of trial.

***These rules are in addition to the New York State and Local Rules of Court. Failure to comply with any rules or orders of this Court may result in preclusion and/or sanctions without further notice.

REQUEST FOR ADJOURNMENT FORM

CASE NAME: _____

INDEX #: _____

RJI DATE: _____ DATE ISSUE JOINED: _____

LAST COURT APPEARANCE: _____

NUMBER OF PRIOR ADJOURNMENTS (OF THIS PARTICULAR EVENT): _____

DATE ON COURT CALENDAR: _____

REQUESTED (at least 3) ADJ. DATES: 1) _____ 2) _____ 3) _____ 4) _____

MOTION / CONFERENCE / OTHER _____

REASONS FOR ADJOURNMENT: (If on trial, attach Affirmation of Engagement):

DISCOVERY COMPLETED: (YES/NO)

N/I FILED: (YES/NO)

DATE TO FILE N/I: _____

WERE PARTIES ADVISED OF REQUESTED ADJOURNMENT DATES PRIOR TO
REQUEST? (YES/NO)

ON CONSENT?: (YES/NO)

ATTORNEY REQUESTING ADJOURNMENT:

NAME: _____

PHONE #: _____ EMAIL: _____

ADVERSARY'S CONTACT INFORMATION:

NAME: _____

PHONE #: _____ EMAIL: _____

ADVERSARY'S CONTACT INFORMATION:

NAME: _____

PHONE #: _____ EMAIL: _____