

JUSTICE CHRISTOPHER G. QUINN PART 23 RULES & PROCEDURES

Justice: Hon. Christopher G. Quinn
Law Secretary: Virginia Clavin, Esq.
Secretary: Lisa Garry
Chambers Telephone: (516) 493-3188
Chambers e-mail: Lgarry@nycourts.gov
Chambers Fax: (516) 493-3075
Courtroom Clerk: Barbara Luger
Courtroom Telephone: (516) 493-3191

Unless otherwise ordered, matters shall be conducted in accordance with the CPLR, the Uniform Civil Rules of the Supreme Court as amended by Administrative Order 270/2020, effective February 1, 2021 and the following:

- I. Part Rules: Prior to the preliminary conference, attorneys or parties appearing *pro se* must obtain the rules of this Part, thoroughly review them and comply with them throughout the course of a matter assigned to this Part. All of the rules applicable to attorneys are equally applicable to *pro se* parties.
- II. Preliminary Conferences
 - A. Adjournments: Requests for adjournments of Preliminary Conferences are to be addressed to the DCM Part and not to chambers.
 - B. Deadlines: Discovery, Certification and Note of Issue deadlines set forth in the Preliminary Conference Order will be enforced. DEADLINES MAY NOT BE EXTENDED WITHOUT PRIOR APPROVAL OF THE COURT. Dates stipulated by the parties are subject to change by the Court.
- III. All Other Conferences
 - A. Appearance Required: Unless otherwise directed by the Court, attorneys shall appear via Microsoft Teams, not telephone, at the time indicated for all conferences. The Court expects counsel appropriately dressed, no t-shirts, sweat shirts, or tank tops. All attorneys appearing for a conference shall be knowledgeable and familiar with the case. Appearances shall be virtual unless directed otherwise by the Court. Failure to abide by the foregoing by any party SHALL result in all future conferences being in-person on a date and time set by the Court.

- B. Adjournments: Adjournment of conferences or deposition requests must be made through chambers prior to the conference date. The Court will consider granting such requests upon good cause shown and the consent of all parties. A proposed date certain, consented to by all parties, must be provided at the time the adjournment is sought.
- C. It is required that if an adjournment of a deposition is sought, they are directed to speak to the witnesses prior to proposing new dates. Adjournments of depositions shall be within forty-five (45) days of the originally scheduled date (PC Order). If all parties do not consent to the adjournment, counsel must appear before the undersigned in Court on the date of the conference or deposition to seek the adjournment or opposition.

IV. Motions

A. Discovery Motions:

- 1. Pre-motion Conference: Prior to making or filing any discovery motions, counsel for the moving party **MUST** arrange for a conference to be held among counsel for all parties and the Court to discuss the issues involved and the possible resolution of those issues.
- 2. Sua Sponte Order: If the matter can be resolved during the conference call, an order consistent with such resolution may be issued on the Court's own motion.

B. All Other Motions:

- 1. Service: Motions are to be served and filed in conformity with CPLR 2214 and uploaded to NYSCEF where appropriate.
- 2. Appearances: Counsel are **not** required to appear on the return date unless directed by the Court or unless there is a contested application for an adjournment.
- 3. Oral Argument: The Court will determine after the return date, whether oral argument is warranted. Upon such determination, attorneys for all parties will be contacted and advised of the date for oral argument.
- 4. Adjournments: Adjournment requests must be made through chambers or the Courtroom clerk of this part prior to the return date. The Court will consider granting such requests upon good cause shown and with consent of all parties. A date certain consented by all parties must be requested at the time the adjournment is sought.

5. Withdrawn Motions: If a motion is withdrawn, the moving party must upload a letter or stipulation to NYSCEF.
6. Any Order to Show Cause seeking any injunctive relief, including a stay or TRO, must be made in accordance with 22 NYCRR 202.7(f). The moving party shall advise the Court as soon as practicable of their intent to make such motion.
7. Requests to continue or vacate a stay or TRO beyond the return date of the motion shall be made in-Court on the return date. Failure to appear shall result in the automatic vacatur of the stay or TRO, unless the Order to Show Cause provides otherwise.
8. On unopposed motions counsel are directed to upload proposed Orders and/or Judgments to NYSCEF.

C. Motions Decided on the Record:

1. If a motion is resolved, in whole or part on the record, counsel shall obtain such transcript so that same can be “so ordered.”
2. Proposed orders submitted for approval must include notice of settlement (on at least 10 days notice) or a signed waiver of settlement with a copy of the proposed order and self-addressed, stamped envelope to Motion Support, Room 186, Nassau County Supreme Court, 100 Supreme Court Drive, Mineola, NY 11501. The proposed order shall be accompanied by a letter setting forth the date the motion was submitted, what aspects of the motion have been settled and what issues remain to be decided.

V. Communication with Chambers

- A. All communications with chambers by letter, must set forth the title of the action, full names of the parties and index number, and must be submitted via NYSCEF.
- B. Copies of correspondence between counsel **shall not** be sent to the Court except as 22 NYCRR 202.7 or as these Part Rules permit.
- C. The Court will not accept *ex parte* communications on any substantive issue.
- D. DO NOT EMAIL JUDGE QUINN DIRECTLY.

VI. Trials

A. Pre-trial Conference: At the first appearance of all cases assigned to this part for trial, a pre-trial conference will be held. The following matters will be addressed:

1. In Limine applications: Any party intending to make a motion *in limine* shall submit a written affirmation setting forth the nature of the application and any supporting statutory or case law. The party shall furnish the Court with an original and one (1) copy at the pre-trial conference.
2. Requests to Charge and Verdict Sheets: Each party shall supply two (2) copies of its requests to charge and proposed verdict sheet at the pre-trial conference.
3. Pleadings: The parties shall provide a copy of the marked pleadings at the pre-trial conference.
4. Witnesses: Each party shall furnish a list of proposed witnesses for the Court's information at the pre-trial conference.
5. Scheduling: Scheduling problems should be immediately brought to the Court's attention.

B. Exhibits: All trial exhibits, whether or not the parties stipulate to admit them into evidence to the Court, shall be pre-marked by the Court reporter. As to those exhibits marked for identification only, the Court will address their admissibility *in limine* or during the trial. The marked pleadings shall be provided to the Courtroom clerk to be marked as a Court exhibit.

C. Charge Conference: A formal charge conference will be conducted on the record prior to summations. Prior to that time there may be informal conferences.

D. Depositions: The Court is to receive a copy of any depositions being used at trial prior to commencement of opening statements.

VII. Disposition of Cases: If a pending action has been settled. Counsel shall notify chambers by e-mail and NYSCEF that the matter has been settled prior to the next conference date, and upload settlement documents within 20 days.