



NEW YORK STATE UNIFIED COURT SYSTEM

Hon. Andrew A. Crecca
Suffolk County District Administrative Judge

DAVID T. REILLY, J.S.C.

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CIVIL PART 30 & COMMERCIAL PART 45 RULES AND PROCEDURES

APPLICATIONS

All requests for adjournments shall be disregarded if not received by **3:00 p.m.** on the last business day prior to the court date.

1. **On consent:** All consent adjournment requests, if granted by the Court, must be confirmed in writing by e-mail to Chambers and indicate the reason for the adjournment, the index number, appearance date, proposed adjournment date and number of adjournments previously granted. Motion adjournments should include the Motion Sequence Number.
2. **No consent:** All adjournment requests not on consent must be in writing, on notice to all parties, and e-mailed to Chambers. The party requesting the adjournment shall confirm in writing whether the Court has granted or denied the adjournment.

APPEARANCES

The appearance of all counsel familiar with the matter and with appropriate authority is **required** on all court dates unless excused by the Court. Appearances may be in person or virtual.

COMMUNICATIONS WITH THE COURT

Correspondence directed to the Court should be narrowly tailored to address a specific issue or issues and should never be used as an attempt to disparage opposing counsel or parties.

EX PARTE: Neither counsel nor parties shall initiate *ex parte* communications with the Court concerning substantive matters. Letters or e-mail transmissions sent to the Court will not be considered unless there is an indication a copy has been sent to all parties.

E-MAIL: The Court encourages the use of the Part E-Mail by attorneys to assist in all matters.

NYSCEF: All "Letter/Correspondence To Judge" must briefly describe its content in the input box "Additional Document Information".

For any motion or correspondence filed, reference may be made to a previously filed NYSCEF Doc. by number without the necessity of refile same. Use of hypertext link is required.

MOTION / DISCOVERY PRACTICE

PRE-MOTION CONFERENCE: Prior to submitting a discovery motion on actions assigned to this Court, movant should arrange and schedule a conference with the Court, notify all parties to the action in advance, and be prepared to articulate the issues and efforts toward resolution.

RETURN DATES / SUBMISSIONS: All motions made in cases assigned to Judge Reilly must be calendared on a **Wednesday**. No appearance is necessary. **Unless oral argument is specifically directed, motions will be on written submission only.**

SETTLED OR WITHDRAWN MOTIONS: The Court is to be advised immediately of the settlement or withdrawal of any motion or any portion of any motion pending, and/or the settlement of any underlying case with motions pending.

CONFERENCES

SCHEDULING: Compliance Conferences shall be calendared on **Tuesdays (Civil) and Thursdays (Commercial)**. The parties, on consent, may schedule a Settlement Conference with the Court. Conferences may be scheduled throughout the day.

TRIALS

A conference with the Court shall be held prior to the commencement of all trials. As soon as practical, counsel shall upload to the Virtual Evidence Courtroom (VEC) marked pleadings with all bills of particulars, deposition transcripts, and expert exchanges. All pre-marked exhibits shall be uploaded to VEC and in the event an exhibit cannot be so filed, upload a document describing the item which will then be used as a place holder in the record. The use of VEC is for the convenience of the Court and at trial actual exhibits will be produce. Counsel shall advise the Court of the number of witnesses to be called and may also submit a trial memorandum.

All hospital records and other items in evidence over fifteen (15) pages must be paginated before use in the trial.

COMMERCIAL DIVISION RULES

In the event of a conflict, the Rules for the Commercial Division shall supercede the Part Rules.