

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER**

111 Dr. Martin Luther King, Jr., Blvd., 17th Floor
White Plains, NY 10601
(914) 824-5441

Courtroom 1603

PART RULES FOR THE HON. JAMES W. HUBERT

1. Communication with Chambers

A. Letters. Any communication with the Court should be by letter filed electronically via NYSCEF or otherwise sent to all counsel. Letters solely between parties or their counsel, or otherwise not addressed to the Court, may not be filed on NYSCEF or sent to the Court.

B. Faxes. If necessary, faxes to Chambers are permitted if copies are also simultaneously faxed or delivered to all counsel. Do not follow with a hard copy. The fax number is (914) 824-5862. However, counsel is reminded that letters should typically be filed via NYSCEF.

C. Telephone Calls. Telephone calls to Chambers are discouraged. Ex-parte telephone calls are not permitted. For questions concerning scheduling and calendar matters, contact the Court Clerk, Mr. Steven Kelner, at (914) 824-5370 or skelner@nycourts.gov between the hours of 9:00 a.m. and 4:30 p.m.

D. Conference Calls. If the parties desire a conference call with the Court in lieu of personally appearing, and the presence of a court reporter is deemed unnecessary, the parties shall contact the Court in writing and propose mutually acceptable dates and times for the conference call.

D. Requests for Adjournments or Extensions of Time. Requests for adjournments or extensions of time must be made in writing and filed on NYSCEF. The letter must state (1) the original date; (2) the number of previous requests for adjournments; (3) whether any previous requests were granted; and (4) whether the adversary consents. A request for an adjournment of a court appearance shall be made at least 48 hours prior to the scheduled appearance.

2. Motions

A. Filing of Motion Papers. Motion papers, as well as all submissions to the Court, including proposed orders, proposed judgments, and letters, must be electronically filed via the NYSCEF system. In non-NYSCEF cases, motion papers shall be filed in the Westchester County Clerk's Office promptly after service.

B. Questions about E-filing. General questions about electronic filing should be addressed to the E-Filing Resource Support Center at (646) 386-3033.

C. Oral Argument on Motions. Parties may request oral argument in their motion papers at the time their moving papers or opposing papers are filed. However, the Court will determine whether argument will be heard, and may require oral argument even where the parties have not so requested. The Court Clerk will advise the parties if oral argument will be scheduled.

D. Return Date/Calendar Day. Motions are returnable on Thursdays at 9:30 a.m. Motions made returnable on any other day will be adjourned to the following Thursday. No appearance is necessary on the motion return date unless oral argument is scheduled by the Court as indicated in Section C above.

E. Reply papers. Reply papers are not permitted, unless the right of reply is obtained by service of a notice of motion in accordance with CPLR § 2214 (b) or expressly permitted by the Court. Sur-reply papers are not permitted. Any unauthorized papers will not be read.

F. Withdraw/Discontinuance. Counsel shall immediately notify Chambers if a motion will be withdrawn and file a stipulation via the NYSCEF system under the document category “STIPULATION - WITHDRAWING MOTION/ORDER TO SHOW CAUSE.”

G. Working Copies. The moving party shall deliver to Chambers one working copy of all motion papers after the motion has been fully briefed. All working copies must include a copy of the NYSCEF Confirmation Notice attached as the back cover page of the submission. If Exhibits to motions are too voluminous to attach to the motion papers, DO NOT SUBMIT working copies of such Exhibits to Chambers unless specifically requested by the Court.

3. Trial Practice

Immediately upon being assigned to this Court for a trial or hearing, counsel for each party and each self-represented party shall submit the following information to the Court:

1. The estimated length of trial;
2. A list of potential witnesses;
3. Copies of marked pleadings and relevant expert reports;
4. A brief statement of any unusual issues and/or anticipated evidentiary objections;
5. Stipulations governing facts that are not in dispute and the admission of clearly admissible documents, records and other exhibits;

6. A copy of statutory provisions that any party intends to rely upon; and
7. Proposed verdict sheet and requests to charge, which may be emailed to Ms. Jayni Alegria, Principal Law Secretary, at jalegria@nycourts.gov.