

**SUPREME COURT OF THE STATE OF NEW YORK  
ONONDAGA COUNTY  
TAX CERTIORARI PART**

**PRESIDING JUSTICE: HON. ROBERT E. ANTONACCI II, J.S.C.**

---

**TAX CERTIORARI  
STIPULATION AND ORDER**

vs. \_\_\_\_\_ Petitioner(s),

Index No. \_\_\_\_\_

\_\_\_\_\_ Respondent(s)

---

**[All items on the form must be completed unless inapplicable.]**

(1) **Pertinent Dates:**

- (a) Date of Commencement: \_\_\_\_\_.
- (b) Date of Joinder: \_\_\_\_\_.
- (c) RJI Date: \_\_\_\_\_.

(2) **Nature of Case:** Tax Certiorari

- (a) Petitioner's claimed market value per petition: \_\_\_\_\_.
- (b) Assessments as of status dates: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.
- (c) Taxable status dates: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.
- (d) Equalization rates on taxable status dates: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.
- (e) Taxing jurisdiction(s) of subject property: \_\_\_\_\_.

(f) If subject property is a building, approximate square footage: \_\_\_\_\_.

(g) Dimensions or acreage of land of subject property: \_\_\_\_\_.

(3) **Early Disposition:**

(a) This case is appropriate for early disposition because \_\_\_\_\_  
\_\_\_\_\_.

Dispositive motion will be filed on or before \_\_\_\_\_.

(b) This case is not appropriate for early disposition because \_\_\_\_\_  
\_\_\_\_\_.

**It is hereby STIPULATED and ORDERED that:**

(4) **Physical inspection of the premises will take place on or before** \_\_\_\_\_.

(5) **The exchange date for appraisals shall be no later than** \_\_\_\_\_.  
(Must be no later than six months from the date of this stipulation and order.)

(6) **Confidentiality/Non-Disclosure Agreement:**

(a) \_\_\_\_\_ anticipates the need for a Confidentiality/Non-Disclosure Agreement as to the following: \_\_\_\_\_.

Note: In the event that a Confidentiality/Non-Disclosure Agreement is required, the party seeking confidentiality shall promptly prepare and circulate a proposed agreement. The failure to promptly prepare and circulate a proposed agreement may result in a waiver of any claim of confidentiality. See 22 NYCRR § 216.1.

(7) **Motions - Generally:**

(a) Petitioner(s) intends to make the following motions: \_\_\_\_\_  
\_\_\_\_\_.

(b) Respondent(s) intends to make the following motions: \_\_\_\_\_  
\_\_\_\_\_.

Note: Form of Papers

- The notice of motion or order to show cause shall include a statement of the precise relief sought.
- All dispositive motions must include a copy of the pleadings.
- Exhibit tabs are required.
- If a document to be annexed to an affidavit or affirmation is voluminous and only discrete portions are relevant to the motion, counsel shall attach only the pertinent excerpts and submit the full exhibit separately.

- Memoranda of law shall not exceed 25 pages in length; reply memoranda of law shall not exceed 10 pages in length.
- Sur-replies and post-argument submissions are not allowed without advance express permission of the Court.

(8) **Summary Judgment and Other Dispositive Motions:**

- (a) All dispositive motion(s) (including a motion to dismiss or a motion for summary judgment) shall be made no later than the 30th day after filing of the trial note of issue.
- (b) Upon any motion for summary judgment, there shall be annexed to the notice of motion a separate, short and concise statement, in numbered paragraphs, of the material facts as to which the moving party contends there is no genuine issue to be tried.
- (c) Papers opposing a motion for summary judgment shall include a correspondingly numbered paragraph responding to each numbered paragraph in the statement of the moving party and, if necessary, additional numbered paragraphs containing a separate short and concise statement of the material facts as to which that party contends that there exists a genuine issue to be tried.
- (d) Each numbered paragraph in the statement of material facts required to be served by the moving party will be deemed admitted for purposes of the motion unless specifically controverted by a correspondingly numbered paragraph in the statement required to be served by the opposing party.
- (e) Each statement of material fact by the movant or opponent, including each statement controverting any statement of material fact, must be followed by citation to evidence submitted in support of or in opposition to the motion.

(9) **Settlement Conference** will be held on \_\_\_\_\_ (to be set by the Part Clerk).

(10) **Date of Site Inspection** will be \_\_\_\_\_ (if ordered by the Court).

(11) **Trial:**

- (a) Petitioner(s) anticipates that the trial of this action will take \_\_\_\_\_ days.
- (b) Respondent(s) anticipates that the trial of this action will take \_\_\_\_\_ days.
- (c) A pretrial conference will be held on \_\_\_\_\_ (to be set by Part Clerk).

**Note:** All pre-trial filings and submissions required by Uniform Commercial Division Rules 27, 28, 29, 31 and 32 (including motions *in limine*, indexed exhibit binder, witness list) shall be filed and exchanged with opposing counsel at least five (5) days before the final pretrial conference.

**Failure to comply with any of these deadlines, rules or directives may result in the imposition of costs or sanctions or other action authorized by law.**

DATED: \_\_\_\_\_

\_\_\_\_\_  
Attorney for Petitioner(s)

\_\_\_\_\_  
Attorney for Defendant(s)

\_\_\_\_\_  
Attorney for Defendant(s)

SO ORDERED: \_\_\_/\_\_\_/\_\_\_

\_\_\_\_\_  
Hon. Robert E. Antonacci II, J.S.C.