



Supreme Court of the State of New York

Hon. Paul E. Hennings

Chambers

Arthur M. Cromarty Court Complex (Courtroom 8)

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Riverhead, New York 11901

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Principal Law Clerk

Shannon Murray

Secretary

Commercial Part 43 & Civil Part 75 – Rules & Procedures

(Revised December 2, 2025)

Unless otherwise directed by the Court, the following rules shall govern commercial practice in Part 43 and civil practice in Part 75.

1. **Emails:** All emails to the Court shall be sent to sufhennings@nycourts.gov
2. **Adjournments:** Adjournment requests on motions or conferences shall be made by email to the Court. Indicate if all parties consent; all parties must be CC'd on the email. Indicate the reason(s) for the adjournment.

Part 43, Commercial: Conferences are heard on Mondays, Wednesdays, and Thursdays, either in-person or by TEAMS. Motions are heard on Wednesdays.

Part 75, General Civil: Motions and conferences on general civil cases are heard on Tuesdays. Other matters such as hearings or inquests on general civil cases are heard on Thursdays. **Requests for adjournments of ADR conferences shall be directed to the ADR Part, not to Part 75.**

3. **Motion Practice:** Advise the Court immediately by email of: (1) the settlement or withdrawal of any motion or portion thereof sub judice, or (2) the settlement of any underlying case with motions sub judice. The failure to do so will be sanctionable.

Part 43, Commercial: Before submitting a pre-Note of Issue motion on actions assigned to this Court, movant shall arrange and schedule a conference with the Court, notify all parties to the action in advance, and prepare to articulate the issues and efforts toward resolution. No pre-Note of Issue motion may be submitted in the absence of the pre-motion conference, which may be had via TEAMS. Neither an appearance nor a pre-motion conference is required for post-Note of Issue motions, unless requested by all parties. All motions made in cases assigned to Judge Hennings must be calendared for

Wednesdays. In electronically filed cases, the Court does not require or desire working copies.

Part 75, General Civil - Motions are on submission, no appearance required, and no pre-motion conference required. All motions made in cases assigned to Judge Hennings must be calendared for submission on Tuesdays. Unless adjourned by the Court, all motions appearing on the Court's motion calendar shall be marked submitted. The Court neither requires nor desires statements of material fact (22 NYCRR 202.8-g). The Court does not require or desire working copies. All requests for oral argument must be made in writing by email to the Court; if oral argument is granted, an in-person appearance will be required.

4. Conferences: Appearances by persons with knowledge of the facts and vested with authority to make binding dispositions are required. Non-appearances will not be countenanced by the Court and may subject the absent party to one or more of the default sanctions (see, 22 NYCRR 202.27; 22 NYCRR Part 130-2).

Part 43, Commercial: Preliminary conferences are in-person and will be held in Part 43 at 210 Center Drive, Riverhead, New York. Counsel for the respective parties are directed to appear at 9:45 a.m. All matters, including those raised by pending motions and those contemplated by 22 NYCRR 202.19, shall be considered at the preliminary conference. All other types of conferences may be held in-person or via TEAMS and may be scheduled throughout the day. The parties, on consent, may schedule a Settlement Conference with the Court.

Part 75, General Civil: Except for preliminary conferences, in-person appearances by counsel with knowledge of the facts and vested with authority to make binding dispositions are required. An in-person appearance is not required for preliminary conferences. Counsel may confer and submit, via both email and e-filing, a proposed preliminary conference stipulation and order. If an in-person preliminary conference is needed, counsel shall notify the Court via email and a conference will be scheduled.

5. Trials:

A. Jury Trials: A trial conference with the Court shall be held immediately before the commencement of all jury trials. Counsel shall provide the Court with a list of proposed jury charges and proposed jury verdict sheets. A list of all pre-marked exhibits shall be provided to the Court and court reporter. Counsel shall advise the Court of the number of witnesses to be called and shall provide expert information as required by CPLR 3101 (d) (1) (I). All hospital records and other items in evidence over 10 pages must be paginated before use in the trial. In all malpractice cases, each attorney, in anticipation of the charge conference and verdict sheet preparation, must have the

departure and causation testimony located in the trial transcript available for the Court's review.

B. Nonjury Trials: Nonjury trials shall be governed by the same procedures and requirements set forth for jury trials. For nonjury trials, counsel shall submit a proposed order framing the issues to be tried. The parties shall be required to provide a transcript of the trial on commercial cases. The filing of a note of issue is a condition precedent to the commencement of any trial.

6. Compromise Applications: All applications for court approval of a proposed compromise of an infant or other disabled party's claim must comply with the provisions of CPLR 1207, 1208, and 22 NYCRR 202.67. A proposed distribution of net amounts to be recovered by the disabled plaintiff that is consistent with the provisions of CPLR 1206 is required. The required affirmation from a medical professional must indicate whether the injured plaintiff has fully recovered, and if not, the nature and extent of the injuries and course of future treatment. Since the Court may direct the notice of the application be given to all persons who possess claims against the proceeds recoverable under the compromise, including those with statutory liens, the names, and addresses of all such persons, and the amount of their respective claims must be set forth in the petition. If no person has asserted such a claim, the petition must so state. Once the submissions are complete, an appearance date shall be scheduled by the Court.

7. Hearings/Inquests: All hearings or inquests shall be scheduled by the Court.

8. Ex Parte Communications with the Court: Except to the limited extent permitted by these rules and by the rules set forth at 22 NYCRR 100.3, ex parte communications with the Court or any member of its staff, by telephone or otherwise, is strictly prohibited.