

RULES FOR PART 11 – DISCOVERY PART (a/k/a DCM)

The following rules supersede the Temporary Rules During Period of Covid Restrictions issued in Jan. and April 2021.

Presiding Justice: HON. JULIA I. RODRIGUEZ

July 1, 2022

BE ADVISED THAT THERE ARE NO IN-PERSON APPEARANCES; CONFERENCES ARE CONDUCTED VIRTUALLY: COURT SENDS LINKS VIA MICROSOFT TEAMS.

1. UPON FILING A REQUEST FOR A PRELIMINARY CONFERENCE, COUNSEL SHALL ALSO FILE THE BILL OF PARTICULARS. IF YOU REQUIRE A PRELIMINARY CONFERENCE, PLEASE WORK TOGETHER AS ATTORNEYS AND FILL OUT THE ATTACHED PC FORM; SIGN THE PC FORM AND E-MAIL IT TO:

BxSupCiv-IA11@nycourts.gov.

2. IF, DESPITE GOOD FAITH EFFORTS, COUNSEL ARE NOT ABLE TO REACH A PC CONSENSUS, THE COURT WILL ISSUE A PRELIMINARY CONFERENCE AND SCHEDULING ORDER (PC&SO); THE COURT WILL INSERT THE DATES FOR THE MAKING OF DEMANDS AND RESPONSES THERETO, DEPOSITIONS, INSURANCE INFORMATION AND OTHER DISCOVERY. PLEASE SEND REQUEST FOR PC&SO TO: BxSupCiv-IA11@nycourts.gov.

4. COUNSEL ARE DIRECTED TO COMPLY WITH THE MANDATES OF THE PRELIMINARY CONFERENCE AND SCHEDULING ORDER. IF COUNSEL ARE UNABLE TO COMPLY WITH THE SCHEDULING ORDER'S DIRECTIVES, THEN COUNSEL CAN REQUEST A DISCOVERY CONFERENCE, IN ACCORDANCE WITH THE ADMINISTRATIVE ORDER DATED SEPTEMBER 22, 2021, WHICH READS, *in pertinent part*:

There shall be no discovery-related conferences absent the written application of a litigant demonstrating that all good faith efforts have been exhausted to resolve the issue(s) without court intervention. The application shall identify the good faith efforts undertaken and highlight specific point(s) of contention that require judicial resolution.

5. PLEASE SEND YOUR REQUEST FOR A DISCOVERY OR COMPLIANCE CONFERENCE TO: BxSupCiv-IA11@nycourts.gov and COURTATTORNEYPART11BX@NYCOURTS.GOV. The application shall identify the good faith efforts undertaken and highlight specific point(s) of contention that require judicial resolution. IN YOUR REQUEST, PLEASE PROPOSE DATES AND TIMES THAT ARE MUTUALLY AGREEABLE FOR SCHEDULING. IF THE REQUEST IS APPROVED, THE COURT SHALL SEND THE APPROPRIATE VIRTUAL LINKS TO ALL PARTIES.

6. COUNSEL ARE GRANTED LEAVE TO STIPULATE TO THE FILING OF THE NOTE OF ISSUE WITHOUT COURT INTERVENTION, WHENEVER DISCOVERY IS COMPLETE.

7. ALL MOTIONS ARE ON SUBMISSION UNLESS OTHERWISE DIRECTED BY THE COURT.

8. MOTIONS PURSUANT TO CPLR 3211, 3212 and 3213 WILL STAY DISCOVERY, in accordance with CPLR R 3214(b).

BE ADVISED THAT WE ARE WORKING ON ALL SUBMITTED MOTIONS TO DATE. IF YOU WITHDRAW ANY MOTION, WE GREATLY APPRECIATE IT IF YOU WOULD NOTIFY US OF SAME: BxSupCiv-1A11@nycourts.gov.

Regards,

Hon. Julia I. Rodriguez & Principal Court Attorney: Mary Ann Amodeo, Esq.

Chambers Admin. Assistant/Secretary: Ms. Carolina Alcaraz - Chambers Tel: 718-618-1413

Part 11 Court Clerk: Ms. Danielle Beckett - Part 11 Tel: 718-618-1226