

**JUSTICE LLINÉT M. ROSADO
SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF THE BRONX
PART 25
ROOM 705
851 GRAND CONCOURSE
BRONX, NY 10451
(718) 618-1349
Facsimile: 212 416-1426**

COURT CLERK: MARIBEL REVERON

PRINCIPAL LAW SECRETARY: MARY YAMAGATA
myamagat@nycourts.gov

ASSISTANT LAW SECRETARY: KODAI OKANO
Kokano@nycourts.gov

Chambers: Room 829

Telephone: 718 618-1419

THE COURT DOES NOT PERMIT OR ENTERTAIN EX PARTE COMMUNICATIONS

GENERAL PART RULES

Counsel who appear in the part must be fully familiar with the case .

All calendars will be called at 9:30 a.m.
There will be a second and final calendar called at 10:30 a.m.

Failure to appear may result in default relief being granted, or the action being dismissed.

All adjournments require the prior approval of the Court. Applications for adjournment must be made to Chambers via conference call with all attorneys on the line. If an adjourned date is assigned, a faxed stipulation must be sent to Chambers the day prior to the scheduled appearance. All adjournments are subject to final approval by the Judge.

All adjournments on the grounds of engagement of counsel shall be granted only in accordance with Part 125 of the Rules of the Chief Administrator of the Courts. Affirmations must be faxed to the Court at least one (1) day prior to the Court appearance.

Counsel is expected to appear unless the adjournment is specifically granted by the Court.

Copies of correspondence between counsel are not to be sent to Chambers.

In the event the action is resolved prior to the Court date, counsel are expected to notify Chambers immediately.

MOTIONS

Moving papers are to be filed in the clerk's office in room 217.

All papers with a thickness of two or more inches must be properly bound (i.e. Appellate Binding, Velo Binding) to ensure that the papers will not fall apart.

All papers must have an index to exhibits, and exhibits shall be tabbed. If the papers are not properly bound, indexed and tabbed they will be rejected and not considered by the court.

Counsel are reminded that the CPLR does not provide for sur-reply papers or allow the presentation of papers or letters to the Court after argument of a motion. Sur-replies, letters and the responses to such letters addressed to the substance of motions will not be considered.

The Court requests that courtesy copies of all motion papers be delivered to Chambers.

Oral argument is required on all motions and orders to show cause. Counsel must appear on all motions.

Motions for summary judgment must be made no later than sixty (60) days of the filing of the note of issue.

Motions may be adjourned on consent up to 90 days from the original return date of the motion. Counsel are directed to submit a written stipulation reflecting their consent.

EX PARTE APPLICATIONS

Any application for temporary injunctive relief shall contain an affirmation demonstrating there will be significant prejudice to the party seeking the restraining order by giving notice. In the absence of a showing of significant prejudice, an affirmation must demonstrate that a good faith effort has been made to notify the party against whom the restraining order is sought in accordance with 22 NYCRR 202.7.

SUBPOENAS

Counsel are reminded of their authority to issue subpoenas under applicable law. All subpoenas submitted to Chambers must be on notice unless otherwise instructed by Chambers. Subpoenas seeking documents from a state agency or municipality must be served in compliance with CPLR 2307.

ORDER TO SHOW CAUSE TO WITHDRAW AS COUNSEL

1) The Order to Show Cause must contain the following decretal clause.

**“ORDERED, that Plaintiff/Defendant (name) _____
must appear in court, in person on the date and the place above indicated.”**

2) Please incorporate the following text into the body of the Order to Show Cause.

NOTICE TO THE PLAINTIFF/ DEFENDANT:

YOUR ATTORNEY DOES NOT WANT TO REPRESENT YOU, OR IS PRECLUDED FROM REPRESENTING YOU.

THE COURT WANTS TO PROTECT YOUR RIGHTS, AND TO GIVE YOU AN OPPORTUNITY TO RESPOND TO THE STATEMENT MADE BY YOUR ATTORNEY IN HIS/HER AFFIDAVIT WHICH IS ATTACHED TO THE ORDER TO SHOW CAUSE.

IN ORDER TO FULLY PROTECT YOUR RIGHTS YOU MUST APPEAR IN COURT ON _____ . AT THAT TIME YOU MAY OBJECT OR CONSENT TO THE APPLICATION, AND YOU MAY PROVIDE ANY AND ALL INFORMATION WHICH YOU BELIEVE IS IMPORTANT REGARDING THIS APPLICATION.

IF YOUR ATTORNEY IS PERMITTED AND/OR OBLIGATED TO WITHDRAW FROM YOUR CASE, YOUR WILL BE REQUIRED TO FIND A NEW ATTORNEY OR REPRESENT YOURSELF.

YOU MUST COMMUNICATE WITH THE COURT IN ORDER TO PROTECT YOUR RIGHTS. IF YOU CAN NOT APPEAR ON THE ABOVE DATE, YOU MAY WRITE TO THE COURT AND ADVISE THE COURT AS TO YOUR WISHES REGARDING THIS CASE, BEING CERTAIN THAT ANY MAIL ADDRESSED TO THE COURT IS RECEIVED ON OR BEFORE THE ABOVE DATE. IN THAT LETTER, PLEASE PROVIDE YOUR TELEPHONE CONTACT INFORMATION IN CASE IT IS NECESSARY FOR THE COURT TO CALL YOU. IF YOU DECIDE TO WRITE TO THE COURT, YOU SHOULD ADDRESS YOUR LETTER AS FOLLOWS:

**Hon. Llinét Rosado
Supreme Court of the State of New York
851 Grand Concourse
Bronx, New York 10451**

Sufficient cause appearing therefore, let service of a copy of the within Order and all the papers upon which it is based, upon the plaintiff/defendant and upon plaintiff/defendant counsel by regular and certified mail, return receipt requested, on or before the ___ day of _____, 2019, be deemed properly and timely served.

Hon. Llinét M. Rosado J.S.C.

