

**HONORABLE VERONICA G. HUMMEL, A.J.S.C.**  
SUPREME COURT OF THE STATE OF NEW YORK  
BRONX COUNTY CIVIL TERM  
IAS PART 31 (718-618-1242)  
Court Attorney: Bryon Moser, Esq. (COURTATTORNEYPART31BX@NYCOURTS.GOV)  
Clerk XXXXXX: (BXSUPCIV-IA31@NYCOURTS.GOV)

**IAS PART 31 RULES**

Unless specifically otherwise stated, all business before this Court/Part will be conducted virtually.

**There are no in person appearances .**

**DISCOVERY:**

The parties shall proceed with all discovery (including D&I, depositions and IMEs) using every available technology and **must make every effort (including multiple telephone calls and emails directly to the parties' attorneys)**, to resolve discovery disputes without Court intervention (see 22 NYCRR 202.7[c]; A.O. 06/24/2020).

After a discovery stipulation has been signed by all parties the plaintiff shall e-file the discovery stipulation in NYSCEF and use the label **STIPULATION - DISCOVERY**. At the foot of the stipulation, counsel shall print and sign the name of the attorney executing the discovery stipulation and include an email address and telephone number to facilitate further communication.

**The signed and e-filed discovery stipulation will be deemed to be an order of the Court upon its upload to NYSCEF by either party since it is signed by all parties and filed with the Court.** Full compliance with the stipulation is **mandatory** and failure to abide with discovery obligations as set forth in the signed and e-filed stipulation may be subject to enforcement by the full panoply of available enforcement remedies under CPLR Art 31.

Status conferences will no longer be automatically scheduled.

Prior to filing a discovery motion, a request for a pre-motion virtual conference must be made via NYSCEF. Compliance with Uniform Rule 202.20-f will be strictly enforced, and if not complied with, the request will be denied. Use NYSCEF label **REQUEST FOR PRE-MOTION CONFERENCE (COMPLIANCE PART)**. If the request for a pre-motion conference is granted, a virtual conference will be scheduled to take place via Microsoft Teams.

Upon the completion of all discovery Plaintiff's counsel shall upload to NYSCEF a signed stipulation that all discovery is complete and provide for the filing of the Note of Issue and Certificate of Readiness within 30 days and use the NYSCEF label [STIPULATION-TRIAL READINESS](#). At the foot of the stipulation, counsels shall print and sign the name of the attorneys executing the discovery stipulation and include email addresses and telephone numbers to facilitate further communication.

A Note of Issue filed without the required stipulation that all discovery is complete is subject to being vacated *sua sponte*.

### **PRE-TRIAL CONFERENCES:**

After the Note of Issue has been filed a pre-trial conference with the Court may be obtained by uploading to NYSCEF a request that includes caption, Index number, the available insurance coverage, using the label "[LETTER/CORRESPONDENCE TO JUDGE](#)" and in the "additional documentation field" specify :

- (1) settlement conference request; or
- (2) stipulation of settlement, including the settlement amount; or
- (3) stipulation bench trial; or
- (4) stipulation summary jury trial; or
- (5) stipulation binding arbitration.

If a matter is scheduled for a virtual Pre-trial conference, the parties will receive an email at the email addresses provided by NYSCEF with a link to a virtual conference to be conducted on Microsoft Teams. Participation is required unless waived by chambers. Appearing counsel must be authorized to negotiate settlement and/or to resolve any outstanding discovery issues.

**Pursuant to Uniform Rule 202.26, a representative from each office fully familiar with the case and authorized to make binding stipulations must appear, by electronic means, in order to conference and facilitate settlement of the action. Plaintiff(s) and claims representatives must be available by phone at the time of the conference.**

*Counsel for Plaintiff must contact all parties in order to confirm that all counsel are aware of the conference.*

THERE WILL BE NO ADJOURNMENTS.

**Failure to appear by electronic means may result in the imposition of sanctions and the case may be deemed a default under CPLR 3404 and Uniform Rule 202.27.**

**Settlement Conferences:**

**The Court is available to conduct settlement conferences in all actions (pre-note or post-note) if the parties agree that such a conference will be of value. To request a settlement conference, upload a stipulation requesting a settlement conference to NYSCEF under the “[LETTER/CORRESPONDENCE TO JUDGE](#)” label and in the “additional documentation field” specify “settlement conference request.” Please include the case name, and index number, and the amount of all available insurance coverage. **As set forth above, anyone appearing at a settlement conference is expected to have full authority to resolve the case and/or immediate access to their client to obtain such authority.****

Recording any Court proceedings, in person or virtual, is strictly prohibited.

**Vertical calendars** are being arranged with specific carriers as well as plaintiff’s firms. If you have a case inventory that would benefit from a vertical calendar day, please advise chambers via e-mail to the principal court attorney.

**MOTIONS:**

Summary judgment motions must be filed within sixty (60) days after the filing of the Note of Issue. EVERY summary judgment motion must satisfy the requirements of Uniform Rule 202.8-g.

All motions will be decided on submission unless scheduled for virtual oral argument-conference before the Court. Parties will be notified by the Court if a virtual conference is required. Decisions will be available on NYSCEF.

Where appropriate, proposed orders should be submitted with the motion, pursuant to Uniform Rule 202.8-a.

**Orders to Show Cause.** All parties that participate in NYSCEF will be deemed served

with the signed OSC upon uploading of a copy of the OSC signed by the Judge. The attorney's affirmation for the moving party on an OSC MUST include e-mail addresses for all parties that are required to be served with respect to the relief requested in the OSC.

**Please contact the Court immediately by uploading notice or stipulation to NYSCEF** if there have been any developments in a case that would affect the resolution of a pending motion (i.e., settlement, withdrawal, etc.). Use the *"STIPULATION WITHDRAWING MOTION"*, *"STIPULATION/DISCONTINUANCE (POST RJI)"*, *"STIPULATION OF DISCONTINUANCE (REQUEST TO SO ORDER)"*, *"LETTER/CORRESPONDENCE TO JUDGE"*, or another appropriate label.

**All substantive submissions must be uploaded to NYSCEF.** Please individually upload, identify, and label submissions and exhibits by content (i.e. "plaintiff's deposition transcript", "police report dated..."). **Attorneys are considered TO BE ON NOTICE OF ANY AND ALL documents uploaded to NYSCEF, including "Court Notices", "so ordered stipulations", or court decisions.**

Please do not call chambers to inquire about a decision or the scheduling of a case. Review NYSCEF and E-courts and, if need be, thereafter, contact the Motion Support Office or the Clerk of the Part. Only call Chambers under exigent circumstances and the preferred mode of communications with Chambers is via NYSCEF.

Chambers does not accept working copies of e- filed motions.

ALL submissions to the Court MUST be typed. Hand-written submissions WILL be rejected.

Instead of making a motion for Consolidation or Joint Trial the parties may stipulate and submit a proposed Order, see forms in Appendix below.

**Infant Compromises.** Use the proper format. If no action has been commenced the proceeding is called a Petition. When an action has been filed, the caption of the proposed compromise must match the caption of the action.

Request for EBT rulings must be made before the assigned ex parte Judge and not Part 31.

Trial subpoenas should NOT be submitted to the Part, but rather, must be submitted in STP.

Do not contact chambers (email or phone) to inquire if you have an appearance.

Contact opposing counsel or the Clerk in the Part.

All actions assigned to IAS Part 31 and not yet in NYSCEF must be converted ASAP. The Court will not entertain **any** applications on any “paper” action until the action is converted to electronic e-file format.

Revised October 14, 2021

Appendix:

Proposed Consolidation Order to be accompanied by stipulation signed by attorneys for all appearing parties in all effected actions. Be sure to print, sign and include phone number and email address in the stipulation.

At an IAS Part 31 of the Supreme Court of the State of New York, held in and for the County of Bronx, at the Courthouse located at 851 Grand Concourse, Bronx, New York 10451 on the <sup>th</sup> day of , 20 .

PRESENT:

HON. **VERONICA G. HUMMEL**  
ACTING JUSTICE OF THE SUPREME COURT

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**CONSOLIDATION ORDER**

Plaintiff(s),

Index N<sup>o</sup> / E

*-against-*

Defendant(s).

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An application having been made by stipulation, NYSCEF Doc. # and Doc. # , and having duly come on to be heard on the day of , 20 , for an order of consolidation and due deliberation having been had thereon, it is hereby

**ORDERED** that the application is granted, and the above captioned action shall be consolidated with:

- 1) v. , Index N<sup>o</sup> , County
- 2) v. , Index N<sup>o</sup> , County

under Index N<sup>o</sup> , and the consolidated action shall bear the following caption:

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Plaintiff(s),

*-against-*

Defendant(s).  
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and it is further

**ORDERED** that the pleadings in the actions hereby consolidated shall stand as the pleadings in the consolidated action, and it is further

(The following 2 italicized decretal paragraphs are not applicable if **ALL** cases are filed in Bronx Supreme Court)

***ORDERED** that the Clerk of the Court of County, upon receipt of a certified copy of this ORDER and upon payment of the proper fees, shall transfer to the Clerk of the Supreme Court, Bronx County, all papers on file in the action/proceeding bearing the caption v. , Index N<sup>o</sup> , and it is further*

***ORDERED** that the Clerk of the Supreme Court, Bronx County, upon receipt of a copy of this ORDER with Notice of Entry, shall, without further fee, assign an Index Number to the file transferred pursuant to this ORDER ; and it is further*

**ORDERED** that upon service on the Clerk of this Court of a copy of this ORDER with Notice of Entry, the Clerk shall consolidate the papers in the actions hereby consolidated and shall mark the records to reflect the consolidation, and it is further

**ORDERED** that a copy of this ORDER with Notice of Entry shall also be served upon the Clerk of the Motion Support Office (Room 217), who is hereby directed to mark the Court's records to reflect the consolidation

ENTER:

VERONICA G. HUMMEL , A.J.S.C.

Proposed Joint Trial Order to be accompanied by stipulation signed by attorneys for all appearing parties in all effected actions. Be sure to print, sign and include phone number and email address in the stipulation.

At an IAS Part 31 of the Supreme Court of the State of New York, held in and for the County of Bronx, at the Courthouse located at 851 Grand Concourse, Bronx, New York 10451 on the <sup>th</sup> day of , 20 .

PRESENT:

HON. **VERONICA G. HUMMEL**  
ACTING JUSTICE OF THE SUPREME COURT

-----X

**JOINT TRIAL ORDER**

Plaintiff(s),  
*-against-*  
Defendant(s).

Index N<sup>o</sup> / E

-----X

An application having been made by stipulation, NYSCEF Doc. # and Doc. # , and having duly come on to be heard the <sup>th</sup> day of 20 , for an order directing a joint trial, and due deliberation having been had thereon, it is hereby

**ORDERED** that the application is granted, and the above captioned action shall be jointly tried with:

, Index N<sup>o</sup> / E, Bronx County,

and it is further

**ORDERED** that a copy of this ORDER with Notice of Entry shall be served upon the Clerk of the Motion Support Office (Room 217), who is hereby directed to mark the Court's records to reflect this joint trial ORDER, and it is further

**ORDERED** that the Clerk shall assign both/all actions to IAS Part , based on the earliest RJJ, and it is further

**ORDERED** that upon filing of the Notes of Issue and Statements of Readiness in each of the above actions, and upon service of a copy thereof with Notice of Entry on the Clerk of the Motion Support Office, Room 217, said Clerk shall place the aforesaid joined actions upon the trial calendar for joint trial.

ENTER:

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**VERONICA G. HUMMEL** , A.J.S.C.