

Supreme Court, Civil Term
Part 25
851 Grand Concourse
Bronx, New York 10451

Justice Llinét M. Rosado
Principal Law Clerk Ms. Mary Yamagata, Esq.
Assistant Law Clerk Mr. Kodai Okano, Esq.
Part Clerk Ms. Maribel Reveron

VIRTUAL PART RULES EFFECTIVE FEBRUARY 1, 2021

NOTE:

Pursuant to **Administrative Order 270/20**, effective Feb. 1, 2021, Chief Administrative Judge Larry Marks has incorporated many Commercial Division Rules into the **Uniform Rules for the Supreme Court** and County Court. These additions and amendments to the existing Uniform Rules affect appearances, conferences, communications with the court, filing of papers, discovery, interrogatories, privilege logs, depositions, TROs, orders to show cause, motions, oral argument, and trial and pretrial practice. **Part 25 highlights a few of the important change herein, however the onus is on the attorneys to familiarize themselves with Administrative Order 270/20.**

COMMUNICATION:

PART 25 DOES NOT ENTERTAIN ANY EX PARTE COMMUNICATION

IF YOUR MATTER HAS BEEN SETTLED, NOTIFY THE COURT AS SOON AS POSSIBLE BY EMAILING ALL THREE STAFF MEMBERS AT myamagat@nycourts.gov; kokano@nycourts.gov; mreveren@nycourts.gov

Chambers, Room 829, (718) 618-1419
Courtroom, Room 705, (718) 618-1349
Facsimile (212) 212 416-1426

CVA ACTIONS:

THE COURT MUST GET A COPY OF YOUR PAPERS AS SOON AS FILED.

PLEASE SUBMIT WORKING COPIES OF YOUR PAPERS BY FEDEX DELIVERY TO CHAMBERS AT SUPREME COURT, 851 GRAND CONCOURSE, ROOM 829, ATTENTION MARY YAMAGATA/KODAI OKANO BRONX, NY 10451. **BE MINDFUL OF THE DELICATE NATURE AND PRIVACY ISSUES ATTRIBUTABLE TO THESE ACTIONS**

CONFERENCES:

The Court directs attorneys, with cases in Part 25, who seek to request a status, settlement or ADR conference (on consent of all parties) to email **myamagat@nycourts.gov; kokano@nycourts.gov; mreveron@nycourts.gov**. The email message is to include the case name, the index number, the names and contact information of the attorneys, and a short summary of the request. In response, the Court will review the request and, where appropriate, schedule a remote/virtual conference via TEAMS or Telephone (or such other meeting platform as the court shall employ). The Court's response will include instructions and/or a date to Skype or call.

Adjournments of conferences will only be granted UPON A SHOWING OF GOOD CAUSE (**Exhibit P of Chief Administrative Judge Larry Marks Administrative Order 270/20, effective Feb. 1, 2021**).

DISPUTE RESOLUTION

The court will entertain resolution by summary bench trials and by any other alternative means devised collaboratively by the court and the parties and upon approval by the Administrative Judge.

INFANT COMPROMISE APPLICATIONS:

Approval of a proposed infant's compromise order will be conducted by hearing on a remote/virtual basis. Please NOTE that the infant's appearance will not be waived unless, in the interest of justice, there is a valid reason to do so. Plaintiff's counsel MUST make all arrangements to have the infant and the parent/natural guardian appear via remotely/virtually on the hearing date. Once an Infant Compromise Order and necessary documents have been submitted to the Clerk's Office, Room 217, reviewed, and approved for a hearing, the Court will contact the parties to schedule a remote/virtual hearing date. If you would like to inquire about the status of an infant

compromise, you may email myamagat@nycourts.gov or kokano@nycourts.gov or mreveren@nycourts.gov.

MOTIONS:

IF YOU HAVE RESOLVED A PENDING MOTION, OR WITHDRAWN IT, OR THE MATTER WHERE YOU HAVE A PENDING MOTION HAS BEEN SETTLED, NOTIFY THE COURT AS SOON AS POSSIBLE BY EMAILING ALL THREE STAFF MEMBERS AT myamagat@nycourts.gov; kokano@nycourts.gov; mreveren@nycourts.gov

All motions will be scheduled for virtual status conferences for possible resolution.

Any specific request for oral argument should be directed to myamagat@nycourts.gov and kokano@nycourts.gov before the date of the status conference on the motion. Please note that while the parties are free to request oral argument on any motion; the decision to grant that request is at the discretion of the Court pursuant to 22 NYCRR § 202.8[d]. If the Court requires oral argument, the parties will be notified via email. The Court hereby directs the parties to submit working copies of motion papers by FedEx delivery to chambers at 851 Grand Concourse, Room 829, Bronx, NY 10451 upon the parties so stipulating. Be sure to include a copy of the parties' stipulation with any such papers.

Pursuant to Chief Administrative Judge Larry Marks Administrative Order 270/20, effective Feb. 1, 2021, there is a LIMIT as to the length of motion papers (submitted in Rule 17) (SEE Exhibit R).

Pursuant to Chief Administrative Judge Larry Marks Administrative Order 270/20, effective Feb. 1, 2021, there are now SIGNIFICANT CHANGES to how motions for summary judgment are prepared (eg. now movant is required to annex a short concise statement to demonstrate no issue of fact) (SEE Exhibit U).

STIPULATIONS:

Please be sure to email myamagat@nycourts.gov and kokano@nycourts.gov any stipulation reached and/or filed or mailed to the Court as soon as possible. **Proposed stipulations to be so-ordered should also be emailed** after e-filing stipulations to

be so-ordered so that they may be presented to Justice Rosado for signature as the Court does not automatically receive notification of the e-filing of documents.

PROTOCOL: TEAM HEARINGS AND/OR CONFERENCES

Please note that Microsoft TEAMS is the only platform which can be used for the remote/virtual hearings and/or conferences for now. If you need a call in number as well email the Court and make said request as soon as you get TEAMS link invite via email.

1. Appearance Counsel MUST have knowledge and authority of the case. **(Exhibit A of Chief Administrative Judge Larry Marks Administrative Order 270/20, effective Feb. 1, 2021).**
2. All lawyers and litigants should make every effort to appear via video.
3. All lawyers and litigants should identify themselves at the beginning of each appearance.
4. All microphones should be muted when not speaking.
5. All video camera should be on and engaged.
6. Courtroom rules apply- speak one at a time and do not interrupt other speakers, including the Judge.
7. Maintain courtroom decorum. Background noise should be eliminated
8. Recording the proceeding by anyone other than the Judge, Court Reporter or Court Personnel is **PROHIBITED.**
9. **Pursuant to Chief Administrative Judge Larry Marks Administrative Order 270/20, effective Feb. 1, 2021, There are Important CHANGES TO TRIAL PRACTICE and Procedure regarding exhibits, witnesses, trial memoranda and testimony (SEE Exhibit X through BB).**