

HONORABLE DESMOND A. GREEN
Administrative Judge, Supreme Court, Richmond County
26 Central Ave - Courtroom 440
Staten Island, New York 10301
718- 675-8630/Fax 718-442-5364
IAS 5

To the extent dictated by the Covid19 Pandemic and Court Protocol thereto, until further notice, while all judges and staff are working in the courthouse in-person, appearances by attorneys and litigants for general proceedings regarding conferences, motions, etc in Parts 5, FCP and RFP, will take place remotely via Microsoft Teams unless an in-person appearance is directed by the judge.

Kindly direct Queries/Questions related to scheduling of specific cases and or the calendars to the clerk at 718 675-8632. For Email: RichRFP@nycourts.gov

Conferences

- (1) Compliance Conferences and Preliminary Conferences are held Tuesdays in Room 440 at 26 Central Avenue, at 9:30 a.m.
- (2) Adjournments are only granted after prior approval from the Court **AND** consent of all parties. The adjournment is not effective until a stipulation confirming the adjournment is then faxed to the Courtroom at 718-442-5364.

Motions

- (1) Motions shall be heard once a month on a Tuesday promptly at 9:30 a.m.
- (2) **Courtesy copies of all e-filed motions are mandatory and must be filed in the Clerk's Office at least one week prior to the return date of the motion. Courtesy copies SHALL NOT be sent to Chambers. NO courtesy copies of motion papers are to be filed unless the motion is e-filed.**
- (3) Motion papers, answering affidavits and reply affidavits must be served on adversaries as per CPLR Section 2214.

- (4) All Opposed Motions require appearances. Parties requesting oral argument must do so in writing as part of their submission of motion papers, or by 12noon on the Monday prior to the appearance date of the case via Email to the court (ncjohnso@nycourts.gov) with copy thereon to all parties.

Courtesy copies of all motions and cross-motions, including all supporting and opposing documentation, must be submitted to the Court within five (5) days of the return date of the motion (except any reply documents which may be submitted on the return date).

Failure to submit properly bound and tabbed courtesy copies before the return date will result in the Court denying any motion or cross-motion without prejudice.

4a) The court reserves the right to orally grant unopposed motions

- (5) Adjournments are only granted after prior approval from the Court AND consent of all parties. The adjournment is not effective until a stipulation confirming the adjournment is then faxed to the Courtroom at 718-442-5364.
- (6) Summary judgment motions must be made within sixty (60) days of the filing of the note of issue.
- (7) Discovery motions are not permitted without prior Court approval.
- (8) If you are detained, you must call your adversary to inform him/her of the approximate time you will arrive at Court, and then call the Courtroom at 718-675-8632.

Orders To Show Cause

Any Orders To Show Cause must comply with the Uniform Civil Rules for Supreme and County Courts section 202.7(f);

[u]pon application for an order to show cause or motion for a preliminary injunction seeking a temporary restraining order, the

application shall contain, in addition to other information requested by this section, an affirmation demonstrating there will be significant prejudice to the party seeking the restraining order by the giving of notice. In the absence of a showing of significant prejudice, the affirmation must demonstrate that a good faith effort has been made to notify the party against whom the temporary restraining order is sought of the time and place that the application will be made in a manner sufficient to permit the party an opportunity to appear in response to the application. This subdivision shall not be applicable to orders to show cause or motions in special proceedings brought under Article 7 of the Real Property Actions and Proceedings Law.

Trials

- (1) **Marked Pleadings.** Prior to trial, counsel shall furnish marked pleadings pursuant to CPLR §4012.
- (2) **Exhibits.** Counsel shall pre-mark all exhibits in the order which they intend to introduce them at trial. Plaintiffs will number their exhibits and Defendants will letter their exhibits. On the day of trial, the exhibits and the list will be given to the Court reporter who will officially mark them before trial.
- (3) **Witnesses.** Prior to trial, counsel shall provide to the Court, a list of potential witnesses.
- (4) **Motions in Limine.** Any *motions in limine* shall be made as soon as possible by oral application to the Judge.
- (5) **Depositions.** A copy of depositions intended to be used at trial shall be furnished to the Court at the commencement of trial.
- (6) **Proposed Jury Charges and Verdict Sheets.** All proposed jury charges and proposed verdict sheets shall be submitted to the Court at the pre-trial conference.

Amendments of Orders

Regarding any requests for changes, corrections, amendments of prior orders, movant must file an amended order directly with the Richmond Supreme Clerks' Office. In Efiled cases, it would be filed through Efile and a hard working copy presented to the Richmond Supreme Clerk's Office.

Correspondence to the Court

All documents including letters and other correspondence to the court must be Efiled in Efile cases along with courtesy copy to chambers by Email, facsimile or USPS.