

## **RICHMOND COUNTY SUPREME COURT – IAS PART 4 RULES**

**HONORABLE LISA GREY**  
**26 Central Avenue - Room 330**  
**Staten Island, New York 10301**  
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### **CONFERENCES**

- (1) Compliance Conferences and Preliminary Conferences are held every Tuesday and Wednesday in Room 330 at 26 Central Avenue at 9:30 AM. Appearance is required for all parties and attorneys must be fully knowledgeable about the case.
- (2) Adjournments are only granted on consent of all parties and prior approval from the Court. The adjournment is not effective until a stipulation confirming the adjournment is emailed to Traci Russo at [tarusso@nycourts.gov](mailto:tarusso@nycourts.gov).

### **MOTIONS**

- (1) Motions shall be heard every Thursday. The calendar call begins promptly at 9:30AM.
- (2) Courtesy copies of all motion papers, affirmations in opposition, and replies are preferable and should be sent to Justice Grey at least one week prior to the return date. Courtesy copies can be dropped off at court or mailed sufficiently in advance for the Court to receive them one week prior to the return date.
- (3) Motions papers, answering affidavits, and reply affidavits must be served on adversaries as per CPLR Section 2214.
- (4) All motions require appearances and oral argument. Only attorneys fully familiar with the motion shall appear to argue the motion on the return date unless appearances are waived by the Court.
- (5) Adjournments are only granted on consent of all parties and prior approval from the Court. The adjournment is not effective until a stipulation confirming the adjournment is emailed to [tarusso@nycourts.gov](mailto:tarusso@nycourts.gov).
- (6) Summary Judgment motions must be made within sixty (60) days of filing of the Note of Issue. If an extension of time to file is authorized by the Court, the Attorney's Affirmation must clearly state that the Court has granted such permission.
- (7) Discovery motions are not permitted without prior court approval. If such a motion is authorized by the Court, the Attorney's Affirmation must clearly state that the Court has granted permission to make the motion.
- (8) If you are detained, you must call your adversary to inform them of the approximate time you will arrive at court and then call the courtroom at (718) 675-7842.

## 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).

## TRIALS

- (1) **Marked Pleadings.** Prior to trial, counsel shall furnish marked pleadings pursuant to CPLR section 4102.
- (2) **Exhibits.** Counsel shall pre-mark all exhibits in the order which they intend to introduce at trial. Plaintiff 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) **Motion *in Limine*.** Any potential evidentiary question or procedural or substantive law matter not previously adjudicated, shall be brought to the Court's attention and addressed prior to trial by way of a written or oral motion *in limine*. A written memorandum of law with citations to the Official Reports is strongly encouraged and shall accompany any such motion. Citations and copies of relevant court decisions and statutes should be furnished to the Court prior to the commencement of plaintiff's case and when otherwise required by the Court.
- (5) **Depositions.** A copy of depositions intended to be used at trial shall be furnished to the Court at the commencement of the 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. The proposed charges shall be submitted with specific citations to the applicable New York Pattern Jury Instructions and modifications, if any.

## AMENDMENTS OF ORDERS

Regarding any requests for changes, corrections, or amendments of prior orders, movant must file an amended order directly with the clerk's office. In e-filed cases, it shall be filed through the New York State Electronic Filing (NYSCEF) system, and a hard, working copy presented to the clerk's office.

## CORRESPONDENCE TO THE COURT

All documents, including letters and other correspondence to the Court, must be e-filed, with a courtesy copy sent to Chambers by email to [tarusso@nycourts.gov](mailto:tarusso@nycourts.gov).

## **\*\*\*VIRTUAL PART RULES\*\*\***

Since the Covid-19 pandemic requires conferences, motions and hearings/trials to be conducted virtually, the following rules will be in effect until *in person* proceedings are restored:

### **PRELIMINARY CONFERENCES**

Preliminary Conferences will be given a date by the Court after a Request for Judicial Intervention is filed. Not more than fourteen (14) days after the scheduled date, the parties are to either:

- (1) e-file a proposed preliminary conference order, via the New York State Courts Electronic Filing (NYSCEF) system, consented to by all parties; or
- (2) request a virtual conference to resolve any discovery issues by e-filing a Virtual Discovery Conference Request form and emailing a copy to [erthomas@nycourts.gov](mailto:erthomas@nycourts.gov) and [pmarrone@nycourts.gov](mailto:pmarrone@nycourts.gov). Compliance conference dates will be given by the court in the signed Preliminary Conference Order.

### **COMPLIANCE CONFERENCES**

Virtual compliance conferences will be scheduled in all cases. The Court will send Microsoft Teams invitations to all parties whose email addresses are listed in the e-filing system. Should any attorney wish to appear at a virtual compliance conference whose name and email address are not specified on the case email list for the e-filing system, an email must be sent to [erthomas@nycourts.gov](mailto:erthomas@nycourts.gov) so they can be added to the Microsoft Teams invitation.

All parties must appear on the date and at the time specified on the Microsoft Teams invitation. If an attorney or party is not able to appear at a virtual conference, the court must be notified by emailing [erthomas@nycourts.gov](mailto:erthomas@nycourts.gov), as soon as practicable, with a list of alternative dates and times that all parties are available.

-alternatively-

On the date prior to the compliance conference date, the parties are to provide a discovery consent order, agreed to by all parties and signed by the attorneys for all parties. The consent order shall be emailed to [pmarrone@nycourts.gov](mailto:pmarrone@nycourts.gov) and [erthomas@nycourts.gov](mailto:erthomas@nycourts.gov). All outstanding discovery issues shall be addressed by the consent order, including deposition dates and independent medical examination dates. The parties shall not, without court approval, extend summary judgment motion times.

The consent orders will be reviewed and if acceptable to the Court, a new compliance conference date shall be given, and the order will be signed by the judge and uploaded to the e-filing system.

If the parties agree that discovery is complete, a stipulation signed by all parties setting forth that discovery is complete shall be emailed to [pmarrone@nycourts.gov](mailto:pmarrone@nycourts.gov) and [erthomas@nycourts.gov](mailto:erthomas@nycourts.gov). A certification order will be e-filed permitting the plaintiff to file a Note of Issue.

### **VIRTUAL DISCOVERY CONFERENCE REQUESTS**

Should discovery issues arise that cannot be resolved by the parties without court intervention, a request for a discovery conference should be made by e-filing a Virtual Discovery Conference Request form and emailing a copy to [erthomas@nycourts.gov](mailto:erthomas@nycourts.gov) and [pmarrone@nycourts.gov](mailto:pmarrone@nycourts.gov). The discovery request should include those issues which need to be resolved by the court. A virtual discovery conference will then be scheduled to resolve such issues.

### **MOTIONS**

All motions and hearings on Orders to Show Cause will be held virtually using Microsoft Teams. Oral argument by attorneys familiar with the case is required on all motions. Courtesy copies of all motion papers, affirmations in opposition, and replies are preferable and should be sent to Justice Grey at least one week prior to the return date. Courtesy copies can be dropped off at court or mailed sufficiently in advance for the Court to receive them one week prior to the return date.

Microsoft Teams Invitations for oral argument on motions will be sent to all parties whose email addresses are listed in the e-filing system. Should any attorney wish to appear for a motion whose name and email address are not specified on the case email list within the e-filing system, an email must be sent to Ms. Thomas prior to the return date at [erthomas@nycourts.gov](mailto:erthomas@nycourts.gov) so they can be added to the Microsoft Teams invitation.

No discovery motions shall be made without prior court approval.

### **TRIALS**

Justice Grey is available for bench trials and summary bench trials. Where all parties agree to a bench trial or summary bench trial, please notify the court via email at [pmarrone@nycourts.gov](mailto:pmarrone@nycourts.gov) and [erthomas@nycourts.gov](mailto:erthomas@nycourts.gov).

### **FORMS**

[Preliminary Conference Order](#)  
[Compliance Conference Order](#)  
[Virtual Discovery Conference Request](#)  
[Short Form Order](#)  
[Short Form Order page 2](#)