

HONORABLE JUDITH N. McMAHON
Supreme Court Richmond County
26 Central Avenue, Room 430
Staten Island, New York 10301
(718) 675-8650

Conferences

- (1) Compliance Conference and Preliminary Conference appearances are required for all parties, and attorneys must be fully knowledgeable about their case.
- (2) Presently, all Court appearances are virtual by default. Virtual conferences shall be conducted with the same rules as in person appearances. All parties participating in a virtual conference must be visible and able to be seen. No party may participate in a conference while inside a motor vehicle, and all parties must have proper attire as if appearing in person in a courtroom.
- (3) Adjournments are only granted on consent of all parties **and** prior approval from the Court via conference call or appearance of all parties. A stipulation confirming the adjournment is then to be e-filed.
- (4) Conference calls must be scheduled in advance by calling Chambers at (718) 675-8650.

Conference calls will be conducted Tuesdays and Wednesdays between 10:00 a.m. and 12:00 p.m. It is the attorneys' responsibility to ensure all attorneys for all parties are on the telephone prior to calling chambers.
- (5) Adjournment requests for appearance, court date and/or trial made less than one (1) business day before appearance will not be considered.

Motions

- (1) Motion papers, answering affidavits and reply affidavits must be served on adversaries as per CPLR Section 2214. However, the Court requires that opposition on papers be served 30 days

prior to oral argument and Reply papers must be served 7 days prior to oral argument. The Court, in its discretion may adjourn the motion or disregard if papers are not served within these deadlines.

- (2) All motions require appearances and oral arguments.
- (3) Adjournments are only granted on consent of all parties **and** prior approval from the Court via conference call or appearance of all parties. A stipulation confirming the adjournment is then to be e-filed.
- (4) Summary judgment motions must be made within sixty (60) days of the filing of the note of issue.
- (5) Discovery motions are not permitted without prior Court approval. Discovery issues may only be addressed to the Court via scheduled court appearance or conference call with attorneys for all parties on the call.
- (6) 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) 675-8650 or (718) 675-8652.

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 Section 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) **Depositions.** A copy of depositions intended to be used at trial shall be furnished to the Court at the commencement of trial.

- (5) **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.

- (6) **All Motions in limine** must be made orally or on papers seventy-two (72) hours prior to direct select date.

- (7) **Summary Jury Trial** evidentiary packages must be presented to the Court prior to Jury selection