

HONORABLE JUDITH N. MCMAHON
Part Rules for Richmond and New York Counties
Supreme Court Richmond County
26 Central Avenue, Room 430
Staten Island, New York 10301
(718) 675-8650
(646) 386-4987

Principal Law Clerk
Judith Moresco, Esq.

Conferences

- (1) Compliance Conferences and Preliminary Conferences are required for all parties, and attorneys must be fully knowledgeable about their case.**
- (2) Virtual conferences shall be conducted as per 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 driving a motor vehicle, and all parties must have proper attire as if appearing in person in a courtroom.**
- (3) Adjournments are only granted upon consent of all parties and prior approval from the Court. A stipulation confirming the adjournment may then be e-filed. To be clear, a stipulation of adjournment is not acceptable without court approval. The party requesting the adjournment shall obtain consent of all parties BEFORE contacting the Court for an adjournment.**
- (4) Adjournment requests concerning either an appearance, court date and/or trial date made less than one (1) business day before the scheduled date will not be considered.**
- (5) All communications with the Court must be conducted via e-mail, with all parties on the e-mail.**

Motions

- (1) Motion papers, answering affidavits, and reply affidavits must be served upon adversaries as per CPLR 2214.**
- (2) All motions require oral argument, either in person or virtually.**
- (3) Adjournments are only granted upon consent of all parties AND approval from the Court.**
- (4) All dispositive motions shall be made within sixty (60) days of the filing of the note of issue, unless otherwise ordered by the court.**
- (5) Discovery motions are NOT permitted without prior Court approval. Discovery issues may only be addressed to the Court via scheduled court appearance with attorneys for all parties present, either in person or via Microsoft Teams.**
- (6) A Statement of Material Facts is not mandatory but is left to the discretion of the attorneys.**
- (7) Word restrictions are strictly enforced and may not be extended without prior Court approval.**
- (8) Unredacted expert affidavits may be delivered to the Court prior to the oral argument on the motion and the method of delivery is within the discretion of the attorneys.**
- (9) Reply papers containing expert affidavits will not be considered.**
- (10) The Court does NOT permit sur-replies without prior court permission.**

Orders to Show Cause

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 in 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) Motions in Limine: 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.**

**PLEASE NOTE that all proceedings, whether virtual or in person, are PUBLIC
proceedings and all interested parties are invited to attend.**