

**HON. WAYNE M. OZZI, J.S.C.  
SUPREME COURT-RICHMOND COUNTY  
26 CENTRAL AVENUE, COURTROOM 410  
STATEN ISLAND, NEW YORK 10301**

**Chambers: (718) 675-8610  
Fax: (212) 952-7210**

**Courtroom: (718) 675-8612**

**Law Clerk: Allison File  
Part Clerk: Lisa Smalle  
Secretary: Geri Bonarrigo**

**ADJOURNMENTS OF MOTIONS AND CONFERENCE**

**ALL ADJOURNMENT MUST BE WITH THE PERMISSION OF THE COURT PLEASE CONTACT LISA SMALLE AT 718-675-8612 TO OBTAIN THE NEXT AVAILABLE MOTION AND/OR CONFERENCE DATE. ONCE THE ADJOURNMENT IS GRANTED, YOU MUST THEN OBTAIN A STIPULATION SIGNED BY ALL PARTIES STATING THAT PERMISSION WAS GRANTED BY THE COURT.**

**APPEARANCE IS NOT NECESSARY IF THE STIPULATION IS SUBMITTED TO CHAMBERS BY EMAIL OR FAX NO LATER THAN 4:00 P.M. ON THE DAY PRIOR TO THE COURT DATE.**

**CONFERENCES**

Preliminary and compliance conferences are held every Monday and Tuesday in Room 410 at 26 Central Avenue at 10:00 a.m. Copies of blank Orders can be found in the vestibule of the courtroom.

If you are detained, you must call your adversary and the Clerk of the Part to inform them of the approximate time you will arrive at Court. **Default applications for preliminary and compliance conferences will be entertained no earlier than 11:00 a.m.**

**Preliminary Conference**

(1) A copy of the Bill of Particulars must be filed with the Court prior to the Preliminary conference and must be served upon all parties ten (10) days prior to the preliminary conference

(2) The examinations before trial are to be held within forty five (45) days of the date of the Order or as so designated in such Order. If, for any reason, an examination before trial fails to go forward, the Part Clerk is to be notified and the parties shall reschedule.

(3) Compliance conference shall be scheduled on a Tuesday within one hundred days of the preliminary conference date.

(4) Check in with the Part Clerk once your adversary has appeared and your Order is complete.

#### Compliance Conferences

(1) Complete an Order with all outstanding discovery. Check in with the Part Clerk once your adversary has appeared and your Order is complete

**No adjournments are permitted for any case that is beyond Standards and Goals**

### MOTIONS

(1) All motions will be heard and orally argued on Thursdays at 10:00 a.m. All answering papers must be filed with the Civil Term Motion Support Office at least seven (7) business days prior to the appearance date. All reply papers must be filed with the Court at least three (3) business days before the appearance date.

(2) No courtesy copies of motion papers are to be filed with Chambers or the courtroom UNLESS the motion is e-filed.

(3) Courtesy copies of all e-filed motions are mandatory and must be presented prior to the return date of the motion

(4) All motion papers, answering affidavits and reply affidavits must be served on adversaries in accordance with CPLR §2214. No other papers shall be accepted without prior leave of Court.

(5) **All motions require appearances and oral arguments.** Only attorneys with full knowledge of the case and authority may appear for oral argument of motions

(6) Summary judgment motions must be made within sixty (60) days of the filing the Note of Issue

(7) Discovery motions are not permitted without Court approval

(8) If you are detained, you must call your adversary and the Clerk of the Part to inform them of the approximate time you will arrive at Court

DO NOT contact Chambers with inquiries about the status of pending motion decisions

## 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) Prior to trial, counsel shall furnish to the Court marked pleadings pursuant to CPLR 4012
- (2) Counsel shall pre-mark all exhibits in the order in which they intend to introduce them at trial, and a list of the exhibits shall be provided to the Court prior to trial. Plaintiffs shall number their exhibits and defendants shall letter their exhibits. An exhibit list may be obtained from the Court clerk. On the day of trial, the exhibits and the list shall be provided to the court reporter who will officially mark them before trial. All hospital records must be date stamped
- (3) Prior to trial, counsel shall provide the Court with a list of potential witnesses in the order in which they intend to call them, including expert witnesses, their expertise, and a summary of expected trial testimony.
- (4) 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 case citations is strongly encouraged. 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) A copy of depositions intended to be used at trial should be furnished to the Court at the commencement of the trial.
- (6) All proposed jury charges and proposed verdict sheets shall be submitted to the Court by email to [afire@nycourts.gov](mailto:afire@nycourts.gov) and/or [gbonarri@nycourts.gov](mailto:gbonarri@nycourts.gov) prior to the commencement of the Court's preliminary instructions to the jury. The proposed charges shall be submitted with specific citations to the applicable New York Pattern Jury Instructions and modifications, if any.

**FAILURE TO COMPLY WITH THESE COURT RULES SHALL BE ADDRESSED  
APPROPRIATELY– INCLUDING THE POSSIBILITY OF PRECLUSION**