

**HON. DEBORAH A. CHIMES**

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Part 19 - Fifth Floor  
Buffalo, New York 14202  
(716) 845-7201

**Secretary:** Michele Richeal (716) 845-7201 / mricheal@nycourts.gov  
**Court Clerk Part 19:** John Garbo (716) 845-9406 / jgarbo@nycourts.gov  
**Confidential Law Clerk:** Jill Tuholski: (716) 845-7201 / jtuholsk@nycourts.gov  
**7th District CVA Law Clerk:** Mary Mikan: (716) 845-2504 / mmikan@nycourts.gov

**CORRESPONDENCE:**

**The Court does not accept, does not receive notice of and does not review correspondence filed on NYSCEF.** Correspondence directed to the Court is to be sent to the Court's Secretary either attached to an email or mailed hard copy.

**CONFERENCES:**

A preliminary conference will be held within 45 (forty-five) days of the Court's receipt of a filed RJ. Conferences will be scheduled virtually through Microsoft Teams or in person.

Adjournments of conferences are granted only with the consent of all parties, subject to the Court's approval by contacting the Court's Secretary.

**DISCOVERY:**

In Child Victims Act (CVA) discovery is governed in part by the Case Management Order.

Discovery in all other cases is governed by the CPLR and 22 NYCRR Part 202.

**IN CAMERA PROCEDURE:**

In the event that the Court orders an *in camera* review of records, the following procedure shall be employed:

1. The party seeking to limit disclosure shall subpoena the records subject of the in camera review to the Court and simultaneously to their office;
2. Once the party seeking to limit disclosure has received a copy of the records, they shall submit a privilege log consistent with CPLR 3122(b) and a copy of the Bill of Particulars on notice to opposing counsel within 14 days; and
3. The party seeking disclosure shall have 14 days from receipt of the privilege log to submit any additional argument to the Court that the records referenced in the privilege log are subject to disclosure.

## **MOTIONS:**

**Submissions:** All motions and opposition and reply submissions are to be e-filed on New York State Courts Electronic Filing (NYSCEF). All submissions, including replies, must be e-filed no later than 5:00 p.m. on the Wednesday prior to the return date. At the Court's discretion, late submissions may result in an adjournment of the motion or rejection of the untimely submission. No fax or e-mail submissions are permitted. Hard copies of motion papers are not required unless the Court requests otherwise. **Hyper-links to citations are preferred.**

**Sealing:** Litigants cannot stipulate to seal documents or redact information by way of a Confidentiality Agreement or otherwise. Sealing or redaction (other than the mandatory redaction required by 22 NYCRR 202.5(e)) requires a motion and Court Order that makes a finding of good cause. *See*, 22 NYCRR § 216.1.

**Orders to Show Cause:** Prior to filing an Order to Show Cause, counsel is to contact the Court's Confidential Law Clerk. Pursuant to 22 NYCRR 202.8-d, Orders to Show Cause will only be granted when there is a genuine urgency, a stay is required or an Order to Show Cause is required by statute.

**Adjournments:** Motions will be adjourned by the Court Clerk on consent of all parties, subject to the Court's approval. Motions will not be generally adjourned.

**Orders:** Only Orders approved by all counsel, with notice of such approval to the Court, should be submitted for signature by uploading the Order to NYSCEF. A copy of the Court's Decision is to be incorporated and attached to the Order where applicable.

**Temporary Restraining Orders:** TROs must be on notice to the opposing party or opposing counsel. Requests for TROs on cases assigned to another Judge will be considered only upon prior approval of the assigned Judge or his/her Law Clerk.

### **8th District CVA, Commercial and all other cases:**

Motion return dates are the 2nd and 4th Mondays of the month. Oral argument is in person unless otherwise directed by the Court.

### **7th District CVA cases:**

Motion return dates are the 1st and 3rd Tuesdays of the month. Motions are taken on submission. Oral argument will be scheduled at the discretion of the Court.

## **TRIALS:**

Trials are scheduled after Note of Issue is filed. Adjournments are granted by the Judge only.

**Jury Trials:** Counsel is to report to the Court upon completion of jury selection. Hard copies of requests to charge, proposed verdict sheets, expert disclosure, pre-marked exhibits and pleadings

are to be submitted to the Court **two weeks** prior to jury selection unless otherwise directed by the Court. All other matters are governed by the Scheduling and/or Trial Order.

**Bench Trials:** Pre-trial briefs, marked exhibits, expert disclosure and pleadings are to be submitted to the Court one week prior to the start of trial unless otherwise ordered by the Court. Post-trial briefs are to be submitted thirty days following the close of proof unless otherwise directed by the Court.