

HON. JOHN J. DELMONTE

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Court Clerk:	Wendy Haseley	(716) 845-2552	whaseley@nycourts.gov

MOTIONS: First and Third Thursdays, Part 36 at 9:30 a.m. in person

Motions are in person for a 9:30 calendar call. A request for oral argument via Microsoft Teams must be requested in writing in which the reason for the request is stated. If a video motion argument is granted, it will be scheduled at the end of the calendar, and the court will provide a teams link. Dispositive Motions shall be filed within 90 days from the filing of the Note of Issue. Hard copies are not required unless requested by the Court. Opposition papers are due to be uploaded one week before the return date, and replies are due by noon on Tuesday before the return date. Motion requests are to be coordinated with the court clerk. A Statement of Material Facts is not required for motion submission (Uniform Rule §202.8-g).

Temporary Restraining Orders, where possible, will require notice to the opposing attorney. TROs on cases assigned to another Justice will only be granted

upon the prior approval of the IAS Justice or his/her Law Clerk. Motions shall not be adjourned generally and can only be adjourned upon consent of all parties and with notice to the Court.

Orders based upon a decision of this court shall be submitted to all counsel for approval prior to submission to the court. If the parties are unable to agree to a proposed order, the proposed order and notice of settlement shall be served in accordance with Uniform Rule §202.48 which provides for ten days mailed notice or five days notice if by personal service and made returnable on the same date and time as the original proposed Order.

CONFERENCES:

Court conferences are conducted virtually by a Microsoft Teams appearance unless directed by the Court for an in-person conference. Attorneys are to appear on video and dressed professionally. Adjournment requests are to be made upon consent of all parties. The party requesting the adjournment shall call LeNeesha Eve for available time slots then confirm the adjourned date among the parties and LaNeesha Eve. Preliminary conferences may only be adjourned

upon consent of all counsel and to a date within 45 days from the filing of the RJL.

All parties are to submit a brief summary and position statement (not to exceed one page) prior to the preliminary conference.

Both parties are required to have their statements of net worth [236(b)] filed prior to the preliminary conference in a matrimonial action. Requests for *pendente lite* relief must be substantiated by tax statements or paycheck stubs. The parties are to be available in the Microsoft Teams link for the matrimonial preliminary conference. Party attendance at subsequent conferences will be directed by the court.

TRIALS

Trial dates are selected after the Note of Issue has been filed. An exhibit-marking conference will be conducted about three weeks before jury selection. Expert disclosure shall be made thirty days before trial. Proposed Jury Verdict Sheets and Requests to Charge shall be submitted to chambers two weeks before jury selection. Motions *in limine* shall be served to be argued before the start of trial on the special term preceding jury selection or as otherwise scheduled by the

Court. The Court will advise on the submission of pre and post-trial memoranda for non-jury trials.