

**HON. DIANE Y. DEVLIN**  
**Part 32 - Ninth Floor**  
**50 Delaware Avenue**  
**Buffalo, NY 14202**  
**PHONE: (716) 845-9483 FAX: (716) 845-5157**

<b>Law Clerk:</b>	<b>Ryon D. Fleming</b>	<b>(716) 845-9484</b>
<b>Secretary:</b>	<b>Marianne Vara</b>	<b>(716) 845-9483</b>

### **MOTIONS**

**Every Thursday, Part 32 at 9:30 a.m.**

### **CIVIL**

Dispositive Motions shall be made within 120 days from the filing of the Note of Issue. For non e-filed cases, all moving papers memoranda, opposition papers are to be delivered to Part 32 Court Clerk not later than noon on the Friday prior to the return date of the motion. Original papers are not required. Reply papers are to be delivered to Part 32 Court Clerk not later than Tuesday at noon. **NOTE - FOR E-FILED CASES, YOU ARE REQUIRED TO SEND A HARD COPY OF MOTION PAPERS AND RESPONDING PAPERS TO CHAMBERS.** Oral arguments are required except on permission of judge or law clerk. TRO's where possible, will require notice to the opposing attorney. TRO's 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. Motions 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 Section 202.48 which provides for ten days mailed notice or five days notice if by personal service and made returnable before the Court at 9:30 a.m. in Part 32. Proposed counter-orders shall be made returnable on the same date and time as the original proposed Order.

### **CONFERENCES**

Court conferences are scheduled as "in person". Request for a telephone appearance must first be obtained from the court and not opposing counsel. Rule 202.12 preliminary conferences may only be adjourned upon consent of all counsel and only to a date within the 45 days from the filing of the RJL. Adjournments of compliance conferences or pre-trials to a day certain will be granted upon consent of all parties. Confirmation of any adjournment together with its rescheduled date must be made in writing to all parties and to the court by counsel seeking the adjournment.