

HON. DIANE Y. DEVLIN

Part 32 – Ninth Floor

50 Delaware Avenue

Buffalo, New York 14202

PHONE: 716-845-9483 / FAX: 716-845-5157

Law Clerk:	Ryon D. Fleming, Esq.	(716) 845-9484	rfleming@nycourts.gov
Secretary:	Marianne Vara	(716) 845-9483	mvara@nycourts.gov
Court Clerk:	Celeste Pilecki	(716) 845-9420	cpilecki@nycourts.gov

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. Currently decisions are on submission unless otherwise directed by the Court. Currently argument will be conducted virtually by a Microsoft Teams appearance during which attorneys are to appear on video. 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.

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:

Currently 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. 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 RJI. 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.

TRIAL DEADLINES

Expert disclosure shall be made thirty days before trial. Proposed Jury Verdict Sheets and Requests to Charge shall be submitted to chambers one week before jury selection. Motions *in limine* shall be served to be argued before the start of trial on the special term before proof or as otherwise scheduled by the Court.