

HON. DIANE Y. DEVLIN

Erie County

Part 6 - Third Floor

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Buffalo, New York 14202

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Genesee County

One West Main Street

Batavia, New York 14020

Law Clerk:	Ryon D. Fleming	716- 845-9484
Secretary:	Marianne Vara	716-845-9483
Court Clerk:	Celeste Pilecki (Erie)	
	Ashley Brownell (Genesee)	585-201-5728

MOTIONS: Genesee County: First and Third Thursdays of every month.
Erie County: Second and Fourth Thursdays of every month.

CIVIL:

Dispositive Motions shall be made within 120 days from the filing of the Note of Issue. Currently arguments are 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 prior to the argument.

Temporary Restraining Orders, 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 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 Section 202.48 which provides for ten (10) days mailed notice or five (5) 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 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 dates 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 (30) days before trial. Proposed Jury Verdict Sheets and Requests to Charge shall be submitted to chambers two (2) weeks 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.