

**HON. FRANK CARUSO**  
**Angelo A. Delsignore Civic Building**  
**775 Third Street-Part II**  
**Niagara Falls, New York 14302**  
**Phone: 371-4013 Fax: 371-4042**

<b>Law Clerk:</b>	<b>Robert N. Richardson, Esq.</b>	<b>371-4014</b>	<b>(legal issues)</b>
<b>Secretary:</b>	<b>Michelle Metz</b>	<b>371-4013</b>	<b>(scheduling)</b>
<b>Court Clerk:</b>	<b>Corinne Cleri</b>	<b>371-1407</b>	<b>(motions/orders)</b>
<b>Court Reporter:</b>	<b>Vacant</b>		

**E-FILED CASES:**

A working copy of any and all motions, answering papers, reply affidavits, memoranda and correspondence to the Court is required to be submitted to the Court's chambers, with the appropriate E-File confirmation notice form attached. All other submissions intended to be reviewed by the Court which are e-filed without a working copy sent to chambers will not be considered.

**MOTIONS:**

Motions will be heard on Thursdays at 9:30 a.m.

Special term motions are called by the order in which attorneys check in. Kindly report with the court clerk immediately upon arrival.

Except for e-filed cases (see above), motions, cross-motions and orders to show cause will not be scheduled until and unless chambers receives a **paid, stamped special term note of issue** obtained through the Niagara County Clerk.

**All moving papers, answering papers, reply affidavits, memoranda and paid Special Term Notes of Issue, are to be received in Chambers by 3:00 p.m. the Friday before the return date, notwithstanding CPLR 2214(b), any papers submitted after 3:00 p.m. on Friday may result in an adjournment, at the Court's discretion.** Affirmation of good faith required for discovery motions. Oral argument required unless consent by all attorneys to submit papers is received or the Court directs otherwise. TROs handled on a case-by-case basis. TROs must be on notice to other attorney if known or where a government entity is involved. Orders to Show Cause/TROs on a case assigned to another judge will be signed only upon prior written approval of IAS judge or his/her law clerk. Motions cannot be adjourned generally, however, adjournments to a specific date are granted upon consent of all parties and if not upon consent, as the Court may decide noting a liberal adjournment policy especially with respect to motions made within the minimum time limits of the CPLR and for summary judgment motions.

**LATE SUBMISSIONS:**

All motion papers, including cross-motions, answering affidavits, and reply affidavits must be submitted to the Court within the time periods prescribed herein and the CPLR, unless the Court directs otherwise. **Failure to comply with the filing deadline will result either in an adjournment of the motion or refusal by the Court to consider the untimely submission.**

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### **ORDERS:**

Must be submitted within thirty (30) days with indication that the order has been sent out to all opposing counsel or pro se litigant and that no objection has been received. Orders will not be signed unless opposing counsel has had an opportunity to review for at least seven (7) days. However, if no objections are received after ten (10) days, the Order will be signed without further delay.

### **CONFERENCES:**

Preliminary conferences will be scheduled within 45 days of the filing of the RJI and are mandatory. At the conference, a scheduling order may be issued. Pretrial conferences will be scheduled as the Court deems necessary. All conferences shall be before IAS judge or Law Clerk. Adjournments will be granted only with consent of all attorneys or with Court approval.

### **JURY TRIALS:**

Adjournments granted by the Judge only.

Pleadings, list of witnesses, proposed jury charge and verdict sheets and papers on motions *in limine* required **prior to jury selection.**

Expert disclosures, without good cause shown, are to be exchanged thirty (30) days before the commencement date of trial.

Jury selection begins at 9:30 a.m. on Tuesday with proof to begin the following day unless by agreement of the parties or direction by the Court of an alternate schedule. Charge conference with the Judge shall take place after proof is completed but before closing statements with results put on record upon request.