

If the parties submit this stipulation 2 business days prior to the scheduled compliance conference date, completed and executed by all parties, counsel need not appear at the compliance conference. this stipulation may be uploaded to NYSCEF.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

**MEDICAL, DENTAL &
PODIATRIC MALPRACTICE
PART**

-----X

Plaintiff (s),

**TRIAL READINESS
STIPULATION & ORDER**
[NYSCEF case]

-against-

Index No. _____

Defendant (s).

-----X

It is hereby stipulated and agreed by and between all parties to the within action as follows:

(1) DISCOVERY IS COMPLETE: All disclosure previously ordered herein has been completed or waived and the matter is ready for trial; and

(2) NOTE OF ISSUE: Plaintiff shall serve and file a Note of Issue and Certificate of Readiness via NYSCEF within twenty (20) days of entry of this Trial Readiness Stipulation and Order; and

(3) NOTE OF ISSUE IF PARTY HAS OPTED OUT OF NYSCEF : Plaintiff shall also serve a copy of the Note of Issue and Certificate of Readiness within twenty (20) days of entry of this Trial Readiness Stipulation and Order upon any party who has opted out of NYSCEF, and shall file proof of service thereof via NYSCEF; and

(4) SUMMARY JUDGMENT MOTIONS: Any motion for summary judgment by any party must be served via NYSCEF within **60 days** following the filing of the Note of Issue; opposition papers

must be served via NYSCEF within 30 days of service of motion papers; and reply papers, if any, must be served via NYSCEF within 10 days following service of any opposition papers.

(5) SUMMARY JUDGMENT MOTIONS IF PARTY HAS OPTED OUT OF NYSCEF: If a party has opted out of NYSCEF, a copy of any motion for summary judgment, opposition papers, reply papers must be served upon that party by mail with the prescribed time periods and an affidavit of such service shall be uploaded to NYSCEF.

The contents and provisions of the foregoing proposed stipulation are agreed to, and the parties request that the Court order same.

Dated:

Attorneys for Plaintiff(s)/Plaintiff *pro se*:
(Print Name) _____
(Signature) _____
Mailing Address: _____

Phone number: _____
Facsimile number: _____
E-mail: _____

Attorneys for: _____
(Print Name) _____
(Signature) _____
Mailing Address: _____

Phone number: _____
Facsimile number: _____
E-mail: _____

Attorneys for Defendant(s)/Defendant(s) *pro se*:
(Print Name) _____
(Signature) _____
Mailing Address: _____

Phone number.: _____
Facsimile number: _____
E-mail: _____

Attorneys for: _____
(Print Name) _____
(Signature) _____
Mailing Address: _____

Phone number.: _____
Facsimile number: _____
E-mail: _____

SO ORDERED:

Hon. Lewis J. Lubell, J.S.C.

[add lines or pages for additional parties]

Additional Appearances:

Attorneys for _____
(Print Name) _____
(Signature) _____
Mailing Address: _____

Phone number: _____
Facsimile number: _____
E-mail: _____

Attorneys for _____
(Print Name) _____
(Signature) _____
Mailing Address: _____

Phone number: _____
Facsimile number: _____
E-mail: _____

Attorneys for _____
(Print Name) _____
(Signature) _____
Mailing Address: _____

Phone number: _____
Facsimile number: _____
E-mail: _____

Attorneys for _____
(Print Name) _____
(Signature) _____
Mailing Address: _____

Phone number.: _____
Facsimile number: _____
E-mail: _____

Attorneys for _____
(Print Name) _____
(Signature) _____
Mailing Address: _____

Phone number.: _____
Facsimile number: _____
E-mail: _____

Attorneys for _____
(Print Name) _____
(Signature) _____
Mailing Address: _____

Phone number.: _____
Facsimile number: _____
E-mail: _____