

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: COMMERCIAL PART 43

Index No(s): _____

Plaintiff(s)/Petitioner(s)

Track: _____

-against-

Defendant(s)/Respondent(s).

**PRELIMINARY
CONFERENCE ORDER**

Appearances:

Counsel for Plaintiff(s)/Petitioner(s): _____

Counsel for Defendant(s)/Respondent(s) _____

_____, Esq.

_____, Esq

_____ [Firm]

_____ [Firm]

Phone: _____

Phone: _____

Email: _____

Email: _____

It is ORDERED that disclosure shall proceed, pursuant to the Rules of the Commercial Division (CD) and the Rules of Commercial Division Part 43 (Part Rules), as follows:

(1) BILL OF PARTICULARS (see CPLR 3130 [1]):

- (a) Demand for a bill of particulars _____ on or before _____.
- (b) A bill of particulars shall be served by _____ on or before _____.

(2) INTERROGATORIES (see CD Rule 11-a):

- (a) Interrogatories shall be served by _____ on or before _____.
- (b) Answers to interrogatories shall be served by _____ on or before _____.

DOCUMENT PRODUCTION (See CD Rule 11 et seq.):

- (a) Demand for discovery and inspection shall be served by _____ on or before _____.
- (b) Responses to demands shall be served by _____ on or before _____.

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(3) EXCHANGE OF ELECTRONICALLY-STORED INFORMATION (ESI):

The parties will execute a stipulation reflecting their agreement on the exchange of ESI by _____. Counsel may execute the CD Standard Form Confidentiality Order, if such an Order is needed. If any proposed changes to the Standard Form Confidentiality Order are requested, counsel shall indicate the proposed changes in a red-lined version. If counsel are unable to agree on ESI or Confidentiality issues, a conference may be requested pursuant to the Part Rules.

(4) DEPOSITION ON ORAL QUESTIONS:

- (a) All party depositions noticed or agreed to by stipulation shall be completed by _____.
- (b) Plaintiff(s)/Petitioner(s) deposition(s) shall be completed by _____.
- (c) Defendant(s)/Respondent(s) deposition(s) shall be completed by _____.
- (d) Non-Party Depositions, if any, and all fact depositions shall be completed by _____.

(5) OTHER DISCLOSURE AND/OR EXPERT DISCOVERY:

(6) DISCOVERY DISPUTES: If any dispute over discovery arises, the parties shall immediately consult with one another and comply with the Part Rules.

(7) IMPLAIDER: Shall be completed on or before: _____.

(8) END DATE FOR ALL DISCLOSURE: _____.

(9) MOTIONS: Any dispositive motion(s) shall be made by Notice of Motion returnable in the Submissions Part within 60 days of the filing of the Note of Issue or as otherwise directed by this court.

(10) NOTE OF ISSUE: _____ shall file a note of issue/certificate of readiness by _____. A copy of this order, an affirmation stating that the terms of the order have been complied with, and an affidavit of service of the affirmation and note of issue shall be served and filed with the note of issue on or before said date.

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(11) COMPLIANCE CONFERENCE: shall be held on _____. At least seven days prior to the compliance conference, counsel shall submit a joint letter not exceeding three single-spaced pages setting forth the status of discovery, describing any significant disputes to be addressed at the conference, and whether there are any outstanding motions and/or appeals.

FAILURE TO COMPLY WITH ANY OF THESE DIRECTIVES MAY RESULT IN THE IMPOSITION OF COSTS OR SANCTIONS OR OTHER ACTION AUTHORIZED BY LAW. DATES SET FORTH HEREIN MAY NOT BE ADJOURNED ABSENT PRIOR APPROVAL OF THE COURT.

ADDITIONAL DIRECTIVES

In addition to the directives set forth above, it is further ORDERED as follows:

SO ORDERED:

DATE: / /

Hon. Robert R. Reed, J.S.C.