

Index No(s): _____

Plaintiff(s),
-against-

Preliminary Conference Order

Defendant(s).

Appearances (attorney name, firm name):

Counsel for Plaintiff(s):

Counsel for Defendant(s)

It is ORDERED that disclosure shall proceed pursuant to the CPLR as supplemented by the Rules of the Commercial Division (CD) and the Rules of Commercial Division Part 61 (Part Rules) as follows:

(1) **INTERROGATORIES** (CD Rule 11-a):

(a) Demand for interrogatories shall be served by all parties on or before _____;

(b) Responses to interrogatories shall be served by all parties on or before _____, with any production with privilege logs, on a rolling basis, completed no later than _____.

(2) **DOCUMENT PRODUCTION:**

(a) Demand for discovery and inspection shall be served by all parties on or before _____;

(b) Responses to demands shall be served by all parties on or before _____, with any production with privilege logs, conducted on a rolling basis, completed no later than _____.

(3) **EXCHANGE OF CONFIDENTIAL AND/OR ELECTRONICALLY-STORED INFORMATION:**

The parties will execute a stipulation governing 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 by letter specifying the nature of the disagreement.

(4) DEPOSITION ON ORAL QUESTIONS:

(a) Plaintiff(s)/Petitioner(s) deposition(s) shall be completed by _____;

(b) Defendant(s)/Respondent(s) deposition(s) shall be completed by _____;

(c) 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 may request a conference by letter outlining the nature of the dispute following a meet and confer. No discovery motion may be filed without the prior permission of the Court at a conference or in a written order.

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

(8) **END DATE FOR ALL DISCLOSURE:** _____.

(9) **MOTIONS AND SEALING:** Any dispositive motion(s) shall be made by Notice of Motion returnable in the Submissions Part within 30 days of the filing of the Note of Issue or as otherwise directed by the Court. The sealing of entire documents is not permitted. Counsel may move by OSC, pursuant to 22 NYCRR 216.1 and E-Filing Protocols, for leave to file documents with limited redactions by e-filing under "Restricted" status the documents with the proposed redactions highlighted and establishing good cause for the redactions. Once redactions are approved, the "Restricted" documents will be sealed permanently and redacted documents may be publicly filed. No blank "placeholder" documents should be filed.

(10) **NOTE OF ISSUE:** The note of issue/certificate of readiness shall be filed by _____.

(11) **COMPLIANCE CONFERENCE** shall be held _____.

ADDITIONAL DIRECTIVES: In addition to the above schedule, it is further ORDERED that:

The dates in this Order are final and may not be adjourned absent the prior permission of the Court.

Motions do not stay discovery unless specifically ordered by the Court.

SO ORDERED:

DATE: _____ ENTER: _____

Hon. Barry R. Ostrager