

Hon. Deborah A. Chimes

50 Delaware Avenue
Part 33 – Ninth Floor
Buffalo, New York 14202
(716) 845-7201

Court Clerk Part 33: Colleen Freiheit: 845-9432 / cfrehei@nycourts.gov
Secretary: Liz Jaeger 845-7201 / cjaeger@nycourts.gov
Court Reporter: Lisa Pazderski: 845-3625
Confidential Law Clerk: Jill Tuholski, Esq.: 845-7202
Asbestos Court Attorney Referee: Mary Louise Hayden, Esq.: 845-9336
mlhayden@nycourts.gov

CONFERENCES:

A preliminary conference will be held within 45 (forty-five) days of the Court's receipt of a filed RJI. All conferences before the IAS Judge or Law Clerk. Pleadings and a brief summary of the case in letter form are required in advance of the initial conference forwarded by first class mail only. Prior to the conference, the parties are expected to comply with 202.70(g) Rule 8. At the conference, the Court will issue a Scheduling/Trial Order and where appropriate an ADR referral.

All other conferences per the Scheduling Order or upon request.

Adjournments granted with the consent of all parties, subject to the Court's approval by contacting the Court's Secretary.

MOTIONS:

Commercial: 2nd and 4th Mondays at 9:30 a.m.
Attorneys shall contact the Court Clerk to schedule a motion.
Hard copies of e-filed motion papers are not required unless requested by the Court.

Asbestos: 1st and 3rd Mondays at 2:00 p.m.
Hard copies of e-filed motion papers to be delivered to Mary Louise Hayden.

Submissions: Submissions must be limited to the word count per Rule 17 and certified. Replies must be e-filed no later than the Wednesday prior to the return date. Late submissions will not be considered. No fax or e-mail submissions are permitted.

Adjournments: An adjournment may be granted on consent of all parties, subject to approval by the Court. Motions will not be generally adjourned. Confirmation of an adjournment, with notice of the rescheduled date, must be made in writing to the Court and all parties.

Orders: Only Orders approved by all counsel, with notice to such approval to the Court, should be submitted for signature. Counsel is to provide hard copies of Orders for signature, including Orders to Show Cause. A copy of the Court's bench decision is to be incorporated and attached to the Order, where applicable.

TROs must be on notice, if other attorney is known. Requests for TROs on cases assigned to another Judge will be considered only upon approval of the IAS Judge or his/her Law Clerk.

TRIAL:

Trial dates are considered to be for a date certain. Adjournments granted by Judge Chimes only.

Commercial:

Jury Trials: Jury selection on Fridays. Motions in limine to be made returnable on the Monday prior to jury selection. Counsel is to report to the Court the completion of jury selection. Requests to charge, proposed verdict sheets, expert disclosure and pre-marked exhibits and pleadings are to be submitted to the Court two weeks prior to jury selection. All other matters are governed by the Trial Order.

Bench Trials: Pre-trial briefs, marked exhibits and pleadings are to be submitted to the Court one week prior to commencement. Post-trial briefs are to be submitted two weeks following the close of proof.

Asbestos:

Jury Trial: Jury selection on Tuesdays. Motions in limine to be made returnable at least 8 days prior to jury selection. Any motions filed thereafter will not be considered by the Court absent a showing of good cause.