

REMOTE DISCOVERY CONFERENCES

While Part 12 is operating remotely, the parties are directed to conference among themselves and draft a proposed preliminary conference stipulation (downloadable at http://ww2.nycourts.gov/courts/1jd/supctmanh/preliminary_conf_forms.shtml) or a compliance conference stipulation.

As there is no available sample form for a compliance conference stipulation, the parties should draft a regular stipulation. **It must, however, be drafted in Microsoft Word format to permit the court to alter and/or add to it.** Proposed stipulations must be signed by all parties before submission to the court.

The stipulation must be emailed to Justice Jaffe's principal court attorney Catherine Paszkowska at cpaszko@nycourts.gov. E-filing alone is insufficient.

If all parties agree to the proposed stipulation, no conference with the court will be scheduled and the stipulation will be reviewed, so-ordered, and entered by the court. The parties are then to proceed with discovery and appear in person at the next conference as scheduled by the court and entered in the stipulation or virtually if the Part is still operating remotely.

If the parties are unable to agree on a stipulation or new discovery schedule, they may seek a telephone or virtual conference with the court. To schedule a conference, the parties must jointly send an email to Ms. Paszkowska at cpaszko@nycourts.gov and to Assistant Court Attorney Ryan Jerome at rmjerome@nycourts.gov detailing all outstanding discovery issues and proposing **at least three** agreed-on dates and times for the conference (from 10am-1pm and 2pm-4pm). The court will select a date from those agreed on and advise the parties as to how to commence the conference.

If a party is unable to agree on a new discovery schedule and/or a conference stipulation and/or participate in a telephone conference, the party may send an email, copied to all parties, to cpaszko@nycourts.gov and rmjerome@nycourts.gov specifying the underlying reason(s). The email will then be reviewed and if warranted, an adjournment will be granted.

While discovery rules remain the same, the parties are reminded that cooperation and flexibility are essential under the circumstances. Parties must be sensitive to issues raised by their opponents, and while everyone should always work toward the amicable resolution of disputes, it is now, more important than ever.

All scheduling inquiries are to be directed to cpaszko@nycourts.gov and rmjerome@nycourts.gov, by email sent jointly or with a copy to all sides.