

Motions: Tues. 9:30 A.M. and 11:30 A.M. on a Staggered Schedule.

Discovery motions are strongly discouraged. (*See also Judges' Part Rules, Rules of the Justices New York County Supreme Court Civil Branch (Non-Commercial Division), NYLJ, Rule 11*).

Motions returnable in the Motion Submission Part Room 130 and assigned to the Part will be on submission unless the court advises the parties that oral argument is required. This is a "paperless part." No courtesy copies of motions unless requested by the Court.

Orders to show cause will be returnable in the Part. Absent an emergency, orders to show cause may not be adjourned without Court approval.

In the event a motion has been resolved by withdrawal or settlement of the case, counsel are encouraged to advise the court prior to the Tuesday calendar by promptly faxing, e-mailing, or e-filing to the court a letter of withdrawal or a stipulation of settlement and discontinuance. There shall be no ex parte communications with chambers and there will be no telephone adjournments. (*See also NYLJ, Rules 1 [a], 4, 13 [b], 14 [a] and 14 [c]*).

Conferences:

(*See NYLJ, Rule 1[a], 7[c], and 10 [b]*).

All preliminary conferences are scheduled for Tuesdays at 2:30 P.M.

Preliminary conferences may not be adjourned without Court approval. All stipulations of adjournment are subject to court approval and must be on consent, in writing. If there is no consent, the date must be honored and counsel must appear for an oral application for an adjournment. When an order to show cause is filed prior to the scheduling of a Preliminary Conference, the court will hold the Preliminary Conference on the return date of the Order to Show Cause, except where an Order involves (1) a reference; (2) a stay of the proceedings, *i.e.*, bankruptcy or (3) the death of a party or other substitutions. (*See also NYLJ, Rule 7 [a]*).

At a Compliance Conference, counsel who will actually be trying the case or an attorney fully familiar with trial counsel's schedule must appear. A scheduled conference may be adjourned one time for no more than two weeks by stipulation of the parties faxed, e-mailed, or e-filed to the court by noon on the preceding Friday. Any further adjournments require the approval of the court, which will be granted only for good cause. The request for any such additional adjournment must be submitted to the court by fax no later than 4 P.M. on the preceding Friday. No adjournments will be given over the telephone. (*See also NYLJ, Rule 1[b]*).

Trials:

Trials are scheduled for a date certain generally within 45 days after a Compliance Conference is held following the filing of a Note of Issue. Trial dates scheduled by the court are firm and may only be adjourned upon application based upon an emergency. Trials are held every day of the week except Tuesdays, which is a calendar day. No adjournments will be granted if a witness is unavailable to testify unless the court concludes, in rare instances, that good cause exists. (*See also NYLJ, Rules 20 and 21, and Pre-Trial Information Sheet available in the Part*).