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Plaintiff,  
 - against - Hon. \_\_\_\_\_, J.S.C.  
 Defendant. Index No.: \_\_\_\_\_

.....-X

**PRELIMINARY CONFERENCE STIPULATION/ORDER**  
**WITH RESPECT TO GROUNDS FOR DIVORCE**

The parties/counsel appeared for a virtual preliminary conference on this matrimonial action before Court Attorney-Referee \_\_\_\_\_ on \_\_\_\_\_, held pursuant to 22 NYCRR §202.16.

**A. If the issue of grounds is resolved:**

- 1) The parties agree that \_\_\_\_\_ proceeds on an uncontested basis to obtain a divorce on the grounds of: \_\_\_\_\_ and that \_\_\_\_\_ agrees not to interpose any defense or opposition to the application by \_\_\_\_\_ for a divorce.
- 2) The parties hereby waive their rights, if any, under CPLR §3217(a) to discontinue this matrimonial action as of right and agree that this action may be discontinued only upon court order, or written agreement of the parties.
- 3) If the Verified Complaint/Verified Answer with Counterclaim has been served:
  - a. Service of the Verified Complaint/Verified Answer with Counterclaim was admitted on \_\_\_\_\_ or is hereby admitted.
  - b. \_\_\_\_\_ hereby waives a statutory time period during which he/she could serve a Verified Answer/Verified Reply; and
  - c. \_\_\_\_\_ neither admits nor denies the allegations in the Verified Complaint/Verified Answer with Counterclaim; and
  - d. \_\_\_\_\_ waives any applicable waiting period.
  - e. The parties hereby agree (*check one*):
    - that an inquest be scheduled with respect to the evidence supporting the granting of the divorce, with the stipulation that, absent a court order determining the existence of extraordinary circumstances, no judgment of divorce will be granted or entered until all issues in this matrimonial action have been resolved and/or determined; or
    - to submit papers to obtain an uncontested default divorce at trial or, after the filing of a fully executed Stipulation of Settlement resolving all issues in this matrimonial action, to submit papers for an uncontested default divorce or for a conversion divorce.

4) If the Verified Complaint/Verified Answer with Counterclaim has not been served or must be amended to conform to the agreed upon grounds:

- a. \_\_\_\_\_ agrees to serve the Verified Complaint/Verified Answer with Counterclaim/Amended Pleading on or before \_\_\_\_\_; and
- b. On or before \_\_\_\_\_, the parties agree to submit to the Court a Stipulation signed by the parties and their counsel completing the provisions set forth in items A 1 through A 3 above.
- c. If the parties do not submit a Stipulation to the Court completing the provisions set forth in items A1 through A3 above on or before \_\_\_\_\_, they shall appear with their counsel for a Court Conference at \_\_\_\_\_ on \_\_\_\_\_.

**B. If the issue of grounds is unresolved:**

1) A trial of this issue shall be held on \_\_\_\_\_, and a jury is  / is not  requested.

2) If the pleadings have not been served:

- a. Plaintiff will serve a Verified Complaint upon defendant's attorney on or before \_\_\_\_\_.
- b. Defendant will serve a Verified Answer upon plaintiff's attorney on or before \_\_\_\_\_.
- c. Plaintiff will serve, if appropriate, a Verified Reply upon defendant's attorney on or before \_\_\_\_\_.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff (signature)

\_\_\_\_\_  
Defendant (signature)

\_\_\_\_\_  
Plaintiff's Attorney (signature)

\_\_\_\_\_  
Defendant's Attorney (signature)

\_\_\_\_\_  
Email Addresses of Plaintiff and Plaintiff's Attorney  
(please print)

\_\_\_\_\_  
Email Addresses of Defendant and Defendant's Attorney  
(please print)

I recommend that the Court approve the foregoing stipulation:

\_\_\_\_\_  
Court Attorney-Referee

The foregoing stipulation is approved and entered as an Order of the Court:

**SO ORDERED:**

Dated: \_\_\_\_\_  
White Plains, New York

\_\_\_\_\_  
Hon.  
Justice of the Supreme Court