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Plaintiff,

TRIAL READY ORDER

- against -

Hon. _____, J.S.C.

Defendant.

Index No. _____

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This matter is hereby certified ready for trial. No further discovery shall be permitted except upon a showing of compelling and unanticipated circumstances. Any application for post-note discovery must be pursued in accordance with Section E of the Matrimonial Part Rules.

Plaintiff shall serve and file a Note of Issue and Certificate of Readiness within ten (10) days of the date of this order. A file-stamped copy must be submitted to the Coordinator of the Matrimonial Part, within two (2) business days of filing. Sanctions, including the striking of pleadings or dismissal of the action, may be imposed for failure to timely serve and file the Note of Issue and Certificate of Readiness and/or failure to timely submit a file-stamped copy to the Matrimonial Part Coordinator.

In a NYSCEF filed matrimonial action, Plaintiff shall serve and file a Note of Issue and Certificate of Readiness via NYSCEF within ten (10) days of entry of this Trial Readiness Stipulation and Order; and Plaintiff shall also serve a copy of the Note of Issue and Certificate of Readiness within ten (10) days of entry of this Trial Readiness Stipulation and Order upon any party who has not consented in NYSCEF and shall file proof of service thereof via NYSCEF .

If the Note of Issue is not served and filed by the appropriate date, counsel must appear before the Court Attorney Referee on _____ at 9:30A.M.

The trial of this action is hereby scheduled to commence on _____, 20__ at 2:00P.M. in courtroom 105. The Court has allocated _____ days for the trial. Absent unanticipated circumstances, the trial shall be concluded within these allocated days. The trial shall continue on successive days until completion. As the trial date is more than two months hence, no adjournment requests will be considered (See 22 NYCRR §125.1[g]). Expert reports must be furnished in accordance with 22 NYCRR §202.16(g). Failure to exchange and file the reports not later than sixty (60) days prior to the trial date, and replies not later than thirty (30) days before the trial date, may, in the Court's discretion, preclude use of the expert.

Counsel must submit to the Court ***and in a NYSCEF filed matrimonial action, Plaintiff must upload the following documents or bring them to the first appearance in the Matrimonial Trial Ready Part:***

- 1) Marked pleadings; ***NYSCEF document "marked pleadings"***
- 2) A full executed stipulation of relevant facts that are not in dispute. The Court expects that, no matter how contentious the case, there will be at least some facts that are not in dispute (*e.g.*, the date of marriage, the names and birth dates of children, the location of any residential real estate and the approximate date of acquisition, approximate cost and

the approximate balance on any mortgage; ***NYSCEF document "Trial - Stipulated Facts."***

- 3) A **joint** statement of proposed disposition. To the extent that the parties disagree on any item, the plaintiff's position should be set out first, followed by the defendant's position. The Court will NOT accept separate statements of proposed disposition without prior written approval from the assigned Matrimonial Part Justice; ***NYSCEF document "Trial - Joint Statement of Proposed Disposition."***
- 4) A child support worksheet if applicable; ***NYSCEF document "Trial - Child Support Worksheet.."***
- 5) Updated statements of net worth; ***NYSCEF document "Trial - Updated Statement of Net Worth."***

I recommend that the foregoing order be issued.

Dated: _____
White Plains, New York

Court Attorney-Referee

The foregoing is entered as an Order of the Court.

Dated: _____
White Plains, New York

ENTER:

Hon.
Justice of the Supreme Court