

SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF ERIE

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Plaintiff(s)/Petitioner(s),

Index No. _____

- vs. -

NOTICE REGARDING AVAILABILITY OF ELECTRONIC FILING

Defendant(s)/Respondent(s).

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PLEASE TAKE NOTICE that plaintiff(s)/petitioner(s) [defendant(s)/respondent(s)] in the case captioned above intend(s) that this matter proceed as an electronically-filed case in the New York State Electronic Filing System (“NYSEF”) in accordance with the procedures therefor, described below. Service of papers by electronic means cannot be made upon a party unless that party consents to use of the system. Within ten days after service of this Notice, each party served must indicate whether it consents.

General Information

In New York State, actions may be commenced and cases processed by means of the NYSEF system in (1) tort, commercial, and tax certiorari cases in the Supreme Court in New York City and in Albany, Erie, Essex, Monroe, Nassau, Niagara, Onondaga, Suffolk, Sullivan and Westchester Counties; (2) any kind of case in Broome County Supreme Court designated by the Administrative Judge thereof; (3) proceedings in Erie County Surrogate’s Court; and (4) claims against the State of New York in the Court of Claims.

Electronic filing offers significant benefits for attorneys and litigants, permitting papers to be filed with the County Clerk and the court and served in a simple, convenient and expeditious manner. NYSEF case documents are filed with the County Clerk and the court by filing on the NYSEF Website (at www.nycourts.gov/efile), which can be done at any time of the day or night on any day of the week. Documents are deemed filed when received by the NYSEF server (with payment if required). The use of NYSEF is governed by Section 202.5-b (Supreme Court), and 206.5 and 206.5-aa (Court of Claims) of the Uniform Rules for the Trial Courts.

