

Practices in Part 39

Scheduling

Requests for adjournments of conferences and oral arguments of motions shall be made pursuant to stipulation or by conference call **at least 24 hours in advance** of the scheduled appearance.

Electronic Filing and Courtesy Copies

All cases in Part 39 should be electronically filed through the Court's Filing By Electronic Means (FBEM) system, except those cases involving pro se litigants. All submissions to the Court (including briefs, proposed Orders and Judgments, and letters) should be electronically filed. **If hard copies are also submitted to the Court, they should be marked to reflect that they have previously been e-filed with the e-filed document number indicated.** For FBEM instructions, contact the Efiling Support Center at (646)386-3033 or efile@courts.state.ny.us, or see the Commercial Division's website for New York County at: <http://www.nycourts.gov/courts/comdiv/newyork.shtml>

Hard copy set of motion papers

In addition to electronically filing motion papers, a hard copy set of all papers related to any motion must be submitted to the Motion Support Office in Room 119.

Motions for Summary Judgment

Rule 19-a Statements of Material Facts are required when moving for and opposing summary judgment motions.

Mediation

If, at any point, the parties decide that they could benefit from Commercial Division ADR or other mediation, they should write a joint letter to the Court asking to be referred to ADR or such other mediation. In that letter, they should state whether they prefer that discovery continue or be stayed during the mediation process.

Confidentiality Order

Orders regarding the confidential exchange of information should be based on the Proposed Stipulation and Order for the Production and Exchange of Confidential Information, prepared by a committee of the New York City Bar Association for use in the Commercial Division, available on the Bar Association's website at:
<http://www.nycbar.org/pdf/report/ModelConfidentiality.pdf>

Exhibits

At any evidentiary hearing or trial, the parties shall provide the Court with one copy of the exhibit books and any other documents to be offered into evidence.