

**COMMERCIAL DIVISION
PRELIMINARY CONFERENCE ORDER
PURSUANT TO PART 202 OF THE UNIFORM CIVIL RULES
FOR THE SUPREME COURT KINGS COUNTY**

DATE ____ 200__

<p>Plaintiff(s)</p> <p style="margin-top: 100px;">-against-</p> <p style="margin-top: 100px;">Defendant(s)</p>

Index # _____

Plaintiff _____ is represented by

Firm: _____

Responsible attorney: _____

Address: _____

Email: _____

Telephone: _____

FAX: _____

Defendant _____ is represented by

Firm: _____

Responsible Attorney: _____

Address: _____

Email: _____

Telephone: _____

FAX: _____

Defendant _____ is represented by

Firm: _____

Responsible Attorney: _____

Address: _____

Email: _____

Telephone: _____

FAX: _____

Defendant _____ is represented by

Firm: _____

Responsible Attorney: _____

Address: _____

Email: _____

Telephone: _____

FAX: _____

**IT IS HEREBY ORDERED THAT THIS ACTION IS ASSIGNED TO THE
_____ EXPEDITED _____ STANDARD _____ COMPLEX TRACK
AND DISCLOSURE SHALL PROCEED AS FOLLOWS:**

(1) BILL OF PARTICULARS (See CPLR 3130(1)):

(a) Demand for a bill of particulars shall be served by _____ on or before _____

(b) Bill of Particulars shall be served by _____ on or before _____

(C) BILL OF PARTICULARS SERVED:

Satisfactory

Unsatisfactory - because:

(2) DOCUMENT PRODUCTION/ DISCOVERY AND INSPECTION:

(a) All Demands for Discovery and Inspection (CPLR 3120) shall be served not later than _____ days from the date of this Order.

(b) All responses to Discovery and Inspection demands shall be served not later than _____ days after receipt of the opposing party(ies) demand(s).

(c) All demands for production of books, documents, records and other writings relevant to the issues in this case shall be deemed to include a demand for production of any photograph(s), audio tape(s), video tape(s), computer disk(s) or program(s) and e-mail. The failure to comply herewith may result in preclusion from the introduction of such evidence.

(3) INTERROGATORIES: Limited to 25 questions per party

(a) Interrogatories shall be served by _____ on or before _____.

(b) Answers to interrogatories shall be served by _____ on or before _____.

(4) **DEPOSITIONS:** To be held as follows:

(Priority shall be in accordance with CPLR 3106 unless otherwise agreed or ordered).

Party	Date	Time	Place
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

FAILURE TO APPEAR FOR DEPOSITION AS SCHEDULED WILL BE DEEMED A WAIVER. FAILURE TO PRODUCE A SPECIFIED WITNESS FOR DEPOSITION WILL PRECLUDE SUCH WITNESS'S TESTIMONY AT TRIAL ON BEHALF OF THE PARTY FAILING TO PRODUCE. SUCH PARTY MAY ALSO BE DEEMED TO HAVE WAIVED THE DEPOSITION OF THE OPPOSING PARTY.

(5) OTHER DISCLOSURE:

(a) Commissions or letter rogatory (CPLR 3108): identify and set forth the location of each witness:

(b) Expert disclosure (CPLR 3101[d])

Plaintiff(s) shall provide expert disclosure by_____

Defendant(s) shall provide expert disclosure by_____

(6) DISCOVERY - RELATED DISPUTES:

Issues relating to disclosure shall be resolved between counsel without Court intervention whenever possible. If Court intervention becomes necessary, a conference call may be arranged with the Judge or her Law Clerk and must take place prior to any motions being made.

(7) INSURANCE COVERAGE (IF APPLICABLE):

(7) **IMPLEADER:** Shall be completed on or before_____

(8) **END DATE FOR ALL DISCLOSURE:**_____

(9) ALTERNATIVE DISPUTE RESOLUTION

Requested

Declined

(10) COMPLIANCE CONFERENCE: Shall be held on _____

(11) NOTE OF ISSUE: A note of issue/certificate of readiness shall be filed on
or before_____

(12) MOTIONS: Any dispositive motion(s) shall be made returnable on or
before_____

**THE DATES SET FORTH HEREIN MAY NOT BE ADJOURNED OR MODIFIED
EXCEPT WITH APPROVAL OF THE COURT.**

**IN THE EVENT OF NON-COMPLIANCE WITH THE TERMS OF THIS ORDER,
COSTS OR OTHER SANCTIONS MAY BE IMPOSED, INCLUDING PRECLUSION
OF EVIDENCE.**

**IF A SETTLEMENT IS REACHED, THE COURT SHALL BE PROMPTLY NOTIFIED
AND A COURTESY COPY OF THE STIPULATION OF DISCONTINUANCE SHALL
BE PROMPTLY FORWARDED TO THE COURT. PLAINTIFF IS RESPONSIBLE
FOR FILING THE STIPULATION WITH THE COUNTY CLERK AND SHALL PAY
THE FEES UNLESS OTHERWISE AGREED BETWEEN THE PARTIES AS PART OF
THE WRITTEN STIPULATION.**

THE PARTIES HAVING APPEARED FOR A PRELIMINARY CONFERENCE ON THIS DATE
HAVE REVIEWED THE TERMS AND/OR CONDITIONS OF THIS ORDER AND HEREBY
AGREE TO SAME.

ATTORNEY _____ FOR PLAINTIFF: _____

ATTORNEY _____ FOR DEFENDANT: _____

SO ORDERED:

Dated: _____ J.S.C.

