

## JUSTICE FLUG

Part 9

Courtroom 43

Courtroom: 718-298-1116

Chambers: 718-298-1192

### MOTIONS

1. Motions are heard on Tuesdays at 9:30 a.m. There are two calls of the calendar. The second call will be held following completion of the first call.
2. The moving papers shall be filed in the IAS Motion Support Office at least seven business days prior to the scheduled return date in order to be placed on the Part motion calendar for the day noticed. No motion relating to disclosure will be accepted by the Clerk's Office without an affirmation of good faith as required by Uniform Rule 202.7.
3. The answering papers, including cross-motions, affirmations in opposition and reply affirmation, will be accepted only on the return date in the Part.
4. Appearance of counsel is mandatory on all disclosure motions (i.e. Motions to Vacate and Strike Note of Issue, Motions to Strike Pleadings, Motions to Preclude). The motion will be heard for all purposes in the part on the return date. On that date, the motion will be conferenced by the Justice or her designee with the expectation that the issues will be resolved by stipulation. Failure of the moving party to appear on the return date or submit a "So-Ordered" Stipulation settling the issues and withdrawing the motion, will result in the motion being marked off the calendar. The Court will not accept a "So-Ordered" Stipulation extending the time to file a note of issue. It must be done by motion practice.
5. Appearances of the parties are also required wherein an application will be made to impose or continue a temporary restraining order or to extend the time to file a note of issue. Appearances are not required on any other motions, and oral argument will not be entertained.
6. Applications for adjournments without consent will only be entertained at the calendar call. Stipulations signed by all parties will be entertained at the calendar call, or by fax, 718-520-6432, no later than Friday at 4:00 p.m., of the preceding return date. Applications for an adjournment will be granted as a matter of right for the first time but for no more than three weeks. A second application for adjournment may be made in person and will be at the Court's discretion. No further application will be granted without permission of the court. Counsel must make every effort to notify their adversaries of their intention to seek an adjournment, and if possible to obtain consent of all parties.
7. Questions on motions will be entertained after the call of the calendar. Phone calls to chambers are discouraged, especially ex parte.

## Preliminary Conferences

A preliminary conference will take place only after a written request is filed with the Clerk's Office in compliance with Uniform Rule 202.12(a) or upon a specific directive of the Justice. All preliminary conferences are held at Queens Supreme Court, Room 314. Conferences are held on Tuesdays at 9:30 a.m.