

EFFECTIVE OCTOBER 19, 2020

I. Discovery Conferences

In compliance with statewide Administrative Orders, the parties are expected to complete outstanding discovery on pending matters using every available technology (including paper discovery, depositions and IMEs, if possible), and must make every effort to resolve discovery disputes without the need for Court intervention (see generally, 22 NYCRR 202.7[c]; Justice Gonzalez Administrative Order dated June 24, 2020; and Administrative Order AO/129/20).

Accordingly, beginning on October 19, 2020, Status/Compliance Conference appearances will be held in the following manner:

On or before the Status/Compliance Conference date:

(1) If the parties agree on all issues relating to outstanding discovery, the parties shall e-file (if the matter is an e-file case) and e-mail a fully executed stipulation to the Judge’s Principal Law Clerk Scott Krompinger (skrompinger@nycourts.gov) or Part Clerk Jennifer Stone (jastone@nycourts.gov). If acceptable, the stipulation will be signed and sent to the Clerk for uploading.

(2) If the parties cannot agree on outstanding discovery issues despite good faith efforts to resolve the dispute without Court intervention, the parties shall e-mail a request for a virtual conference to Scott Krompinger at the above address. Include the case name, index number, and a brief description of the issue. If applicable, also include a copy of the most recent compliance conference order/stipulation. Please make sure to copy all other parties in the case on any e-mail sent to the Court.

(3) All virtual appearances will be conducted using Microsoft Teams platform.

(4) If all parties agree that discovery is complete, the parties shall e-mail a stipulation to skrompinger@nycourts.gov on or before the scheduled Status/Compliance conference date. The stipulation must certify that all discovery is complete and provide for the filing of the NOI. The Court will provide a date by which the NOI must be filed and the so-ordered stipulation will be scanned and uploaded.

(5) Requests for EBT rulings must be made before the assigned *ex parte* Judge and not Part 15.

II. Pre-Trial and Settlement Conferences

A. Pre-Trial Conferences

i) Cases where the Note of Issue was filed prior to September 29, 2020:

On or before the designated Pre-trial Conference date, the parties shall e-file (if the matter is an e-file case) and e-mail a notice to the Court (skrompinger@nycourts.gov, or jastone@nycourts.gov) indicating whether the parties (1) are requesting a pre-trial virtual settlement conference before the Judge; (2) are requesting to be referred to the mediation program; (3) are agreeing to binding arbitration, a summary jury trial, or a virtual bench trial, (4) have agreed to settle the matter, including the settlement amount if not confidential; or (5) are advising that none of the above applies, and there are no outstanding pre-trial issues in the matter that require Court intervention/resolution.

*** In addition, please disclose the insurance policy limits for the defendant(s).**

ii) Cases where the Note of Issue was filed on or after September 29, 2020:

Cases where the Note of Issue was filed on or after September 29, 2020 WILL BE AUTOMATICALLY REFERRED TO THE BRONX COUNTY MEDIATION PROGRAM. Cases referred to mediation receive a post-mediation Pre-Trial Conference date in Part 15. If the case is not resolved in mediation, the parties shall e-file (if the matter is an e-file case) and e-mail a notice to the Court (skrompinger@nycourts.gov, or jastone@nycourts.gov) indicating (1) whether the parties are requesting a pre-trial virtual settlement conference before the Judge; (2) are agreeing to binding arbitration, a summary jury trial, or a virtual bench trial, or (3) are advising that none of the above applies, and there are no outstanding pre-trial issues in the matter that require Court intervention/resolution. ***In addition, please disclose the insurance policy limits for the defendant(s).**

If the parties do not contact the Court in advance of the scheduled pre-trial conference date, the pre-trial conference will be administratively adjourned to a future date. Cases where at least one year has elapsed from the NOI filing date will be placed on the STP calendar.

B. Settlement Conferences

Part 15 conducts its settlement conference/ADR calendar virtually. Please adhere to the following guidelines to request a settlement conference:

1. All conferences will be held via Microsoft Teams.
2. Conferences will be held on Tuesdays and Wednesdays.
3. Parties shall confer with one another and come up with an agreeable date and time, and e-mail the request to Scott Krompinger (skrompinger@nycourts.gov). In the request, please include the case name, index number, the names and contact phone number for the attorneys.
4. Make sure that all parties are included on any e-mail communication to the Court.
5. **Anyone appearing at a settlement conference is expected to have full authority to resolve the case, and/or immediate access to their client to obtain such authority.**

Be advised that additional vertical calendars are being arranged with specific carriers as well as plaintiff's firms. If you have a case inventory that would benefit from a vertical calendar day, please advise the Court at the above e-mail.

III. Motions

All motions will be decided “on submission” unless specifically scheduled for oral argument/conference before the Court via Microsoft Teams.

Please contact the Court immediately if there have been any developments in a case that would affect the resolution of a pending motion (i.e., settlement, stipulation to adjourn, withdrawal, etc.). Please make sure to copy all other parties in the case on any e-mail sent to the Court.

Chambers does not require working copies of electronically-filed motion papers (see Administrative Order AO/121/20).