

SUPREME COURT OF THE STATE OF NEW YORK
_____ COUNTY

PRESENT: _____
Justice

PART _____

-----X INDEX NO. _____

Plaintiff(s),

**FIRST COMPLIANCE
CONFERENCE
STIPULATION AND ORDER**

- v -

Defendant(s).

-----X

Case Management Orders (“CMO”) No. 1 and No. 2 and the Second Amended Confidentiality Order (“2d ACO”), applying to all Child Victims Act Cases filed within the City of New York, were issued in this action. CMO No. 2 specifically modified the deadlines set forth in §§ VII, VIII, and IX of CMO No. 1. By entering into this Stipulation and Order the parties do not waive any of their rights or obligations as provided by CMO No. 1 and No. 2 and the 2d ACO. The parties to the above captioned action agree that the dates provided herein are commensurate to the schedule provided in CMO No. 2 or extended on consent of the parties to the action as follows:

I. PARTY APPEARANCES

1. Plaintiff(s):

a. Plaintiff _____ Counsel: _____

Email: _____

b. Plaintiff _____ Counsel: _____

Email: _____

2. Defendant(s):

a. Defendant _____ Counsel: _____

Email: _____

b. Defendant _____ Counsel: _____

Email: _____

c. Defendant _____ Counsel: _____

Email: _____

d. Defendant _____ Counsel: _____

Email: _____

e. Defendant _____ Counsel: _____

Email: _____

II. CMO MANDATED DISCOVERY – Exhibits A through E to CMO No. 2

1. Plaintiff(s) **will serve** [] or *served* [] responses and/or objections to the Standard Automatic Disclosures Directed at Plaintiff by or on _____.

2. Plaintiff(s) **will serve** [] or *served* [] responses and/or objections to the Verified Bill of Particulars Directed at Plaintiff by or on _____.

3. Defendant(s) **will serve** [] or *served* [] responses and/or objections to the Standard Automatic Disclosures Directed at Defendant by or on _____.

4. Defendant(s) **will serve** [] or *served* [] responses and/or objections to the Verified Bill of Particulars Directed at Defendant by or on _____.

5. Plaintiff(s) **will serve** [] or *served* [] responses and/or objections to the Standard Combined Demands Directed at Plaintiff by or on _____.

6. Defendant(s) _____ **will**
serve [] or **served** [] responses and/or objections to the Standard Combined Demands
Directed at Defendants by or on _____.

7. Other (e.g. request for a supplemental Bill of Particulars, outstanding authorizations,
outstanding records): _____

_____.

III. ADDITIONAL DISCOVERY

_____.

1. Deposition of plaintiff on or before (unless waived) _____.
2. Deposition of defendant(s) on or before (unless waived) _____

_____.

3. The parties may contact the court if interested in scheduling coordinated deposition
with a common defendant in separate matters.

IV. DISCLOSURE END DATE & FUTURE COMPLIANCE CONFERENCE DATE

1. End date for all disclosure listed above, and other than expert witness disclosure and
independent medical examinations, will be _____.

- a. Defendant(s) reserve their right to designate independent physical, psychological, psychiatric examination(s) of Plaintiff(s) up to 120 days before trial or within 60 days of a post-Note of Issue exchange of a damages expert by Plaintiff pursuant to CPLR 3101(d), whichever is later.
- b. Defendants agree to serve reports of such examinations, if conducted, up to 60 days before trial.
- c. The parties may modify the discovery due dates provided herein by stipulation filed on NYSCEF without court approval provided that the discovery is completed before the end date for disclosure.
- d. Court approval shall be required to modify the end date for disclosure.

2. The parties shall submit a Second Compliance Conference Stipulation and Order on _____ . If unable to do so parties are to notify the Court a week before the submission date.

3. The filing date for the Note of Issue and Certificate of Readiness will be issued by the Court in the Second Compliance Conference.

4. All dispositive motions must be filed within ninety (90) days of the Note of Issue.

V. REQUEST FOR CONFERENCES AND/OR ADR REFERRAL

1. The parties request a conference with the Court: [] Yes [] No.

a. If “Yes”:

- i. Parties are expected to meet and confer on disputed issues and confer in good faith before requesting a conference (22 NYCRR § 202.11);
- ii. The parties are directed to jointly describe the issue using the lines below.

iii. E-mail a copy of this form to cvanyc@nycourts.gov.

- b. If “No”, e-mail a copy of this form to cvanyc@nycourts.gov in addition to posting to NYSCEF within 30 days of issuance of the request by the Court.

2. The parties request referral to court managed ADR: [] Yes [] No. If yes, the parties wish to apply the automatic stay provision of CMO No. 1, sec. X(1) during the ADR proceedings: [] Yes [] No. *Please use additional pages to provide information and/or describe a particular request and, if applicable, to request a further stay of proceedings pursuant to CMO No. 1, sec. X(1).*

VI. DISCOVERY MOTIONS

1. No motions related to discovery may be made without permission of the Court.
2. The parties are expected to meet and confer on disputed issues and confer in good faith before requesting a pre-motion conference. The failure to meet and confer in good faith may result in the denial of any requests for a pre-motion conference or any motions made.

NOTE: The discovery deadline dates are subject to amendment by the Court; the Court may reject any stipulation and/or schedule a conference sua sponte to discuss the foregoing.

SO ORDERED:

Date

, J.S.C

IMPORTANT: THE PARTIES HAVE SIXTY (60) DAYS FROM THE DATE THIS STIPULATION AND ORDER IS UPLOADED TO SUBMIT A COMPLETED VERSION TO NYSCEF.