

April 7, 2004

**INDIVIDUAL PRACTICES
OF
JUDGE CHARLES L. BRIEANT**

Unless otherwise ordered by Judge Brieant, matters on his calendar shall be conducted in accordance with the following practices:

1. **Communications with Chambers**

- A. **Letters.** Copies of letters to chambers shall be delivered simultaneously to all counsel. Copies of correspondence between counsel need not be sent to the Court **unless doing so will advance the resolution of the litigation.**
- B. **Telephone calls.** Telephone calls to chambers are permitted **for any legitimate purpose. The Judge does not ordinarily make telephone rulings.** Telephone number is (914) 390-4077. **Call between 8:30 a.m. and 4:30 p.m.**
- C. **Faxes.** Faxes to chambers are permitted only if copies are also simultaneously faxed or delivered to all counsel. **Usage of the mails is preferred.** No document longer than ten pages may be faxed without prior authorization. **Documents other than letters should be followed with hard copy containing proof of service.** The fax number is (914) 390-4085.
- D. **Docketing, Scheduling and Calendar Matters.** For docketing, scheduling and calendar matters, call Mrs. Alice Cama at (914) 390-4077 between 8:30a.m. and 4:30 p.m.
- E. **Requests for Adjournments or Extensions of Time.** **Such requests are not favored . The Court should be informed of the reasons and whether or not the adversary consents.**

2. **Motions**

- A. **Pre-Motion Conferences in Civil Cases.** For discovery motions follow Local Civil Rule 37.2. For motions other than discovery motions, pre-motion conferences are not required.
- B. **Courtesy Copies of Motion papers in ECF cases should be submitted.**
- C. **Memoranda of Law.** Memoranda of law in support of and in opposition to motions should be limited to 25 pages, and reply memoranda should be limited to 10 pages. Memoranda of 10 pages or more shall contain a table of contents.

D. **Motion papers shall be filed consistently with Rule 5(d) F.R.Civ.P., together with proof of service.**

E. **Oral Argument on Motions.** Oral argument will be held on all motions except motions for reargument, unless excused. **Motions should be made returnable either on a date agreed to with the Court, or an available motion date listed in the *New York Law Journal*.**

3. **Pretrial Procedures**

A. **Pretrial orders** are not required unless specifically directed by the court in a particular case.

B. **Filings Prior to Trial in Civil Cases.** Unless otherwise ordered by the Court, each party shall file, as soon as conveniently possible before the **trial readiness date as set in the Case Management Plan:**

- i. In jury cases, requests to charge and proposed voir dire questions. When feasible, proposed jury charges should also be submitted on a 3.5" diskette in WordPerfect version 5.1 or higher format;
- ii Witness List and Exhibit List;
- iii *Reserved*
- iv In any case where such party believes it would be useful, a pretrial memorandum.

4. **Post Trial Procedures**

A. **Accuracy of Transcripts.** Counsel are responsible to raise promptly any issue concerning accuracy of transcripts certified by the official Court Reporter to be used for purposes of appeal. Judge Briant does not proof read transcripts of jury charges. Counsel perceiving errata that is material shall stipulate to appropriate corrections, or proceed by motion on notice before the Court. Non-material defects in syntax, grammar, spelling or punctuation should be ignored.