

October 1, 2003

**INDIVIDUAL PRACTICES
OF
JUDGE STEPHEN C. ROBINSON**

Unless otherwise ordered by Judge Robinson, 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 simultaneously be delivered to all counsel. Copies of correspondence between counsel shall not be sent to the court.

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) 390-4177. **Call between 9:00a.m. – 4:00p.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) 390-4179.

D. Docketing Scheduling and Calendar Matters. For docketing, scheduling and calendar matters, call Mr. Brandon Skolnik at (914) 390-4178 between 9:00a.m. and 4:00p.m.

E. Request for Adjournments or Extensions of Time. All request for adjournments or extension of time must be in writing. Request for adjournments, must state (1) the original date, (2) the number of previous request for adjournment or extension, (3) whether these previous requests were granted or denied, and (4) whether the adversary consents, and, if not, the reasons, given by the adversary for refusing to consent. If the requested adjournment or extension affects any other scheduled dates, a proposed Revised Scheduling Order must be attached. If the request is for an adjournment of a court appearance, absent an emergency it must be made at least 48 hours prior to the scheduled appearance. *Do not call chambers to request an adjournment except in case of an emergency.*

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. Courtesy copies of all motion papers, marked as such, should be submitted for chambers. **Original** documents, with proof of service on opposing counsel, shall be filed with the Clerk's Office.

C. Memorandum of Law. Unless prior permission has been granted, memoranda of law in support of or in opposition to motions are limited to 25 pages, and reply memoranda are limited to 10 pages. All memoranda shall contain a table of contents and a table of cases.

D. Motions Papers. Motion papers shall be filed promptly after service. Do not hold motion papers until all papers are complete. Citations to New York and United States Supreme Court cases shall contain citations to the official reporter and parallel cite to New York Supplement and Supreme Court Reporter, respectively. Citations to unreported cases not available on WESTLAW must be accompanied by a copy of the case cited. All exhibits must be tabbed and indexed.

Request to file memoranda exceeding the page limits set forth herein must be made in writing five (5) days prior to the due date, except with respect to reply briefs, in which case time is the day prior to the due date.

Answering papers are to be served two (2) weeks after receipt of the moving papers. Reply papers, if any, are to be served five (5) business days later.

On motion for summary judgment, do not attach complete deposition transcripts as exhibits. Attach only pages containing relevant testimony (to which citation is made in the briefs or affidavits).

Each entry must be separately tabbed and indexed.

E. Oral Argument on Motions. Parties may request oral argument by letter at the time their moving or opposing or reply papers are filed. The court will determine whether argument will be heard and, if so, will advise counsel of the argument date.

3. Pretrial Procedures

A. **Joint Pretrial Orders in Civil Cases** are not required unless specifically directed by the court in a particular case.

B. Preparation of Cases for Trial

1. **Jury Selection.** The Federal Courthouse in White Plains selects jury panels on the **first** and **second** Monday of the month during which the trial(s) will commence. A Magistrate Judge may be assigned to select jury panels. Chambers will notify counsel by mailing a copy of the “so ordered” Order of Reference to a Magistrate Judge. For further information, please contact the appropriate Magistrate Judge’s Chambers.

2. **At Least One Week Before Trial.** Counsel for each of the parties should file the **original**, with proof of service on opposing counsel where appropriate, with the Clerk’s Office, 300 Quarropas Street, Main Floor, White Plains, **with a courtesy copy to chambers**, Room 633, of the following:

- a. A statement of agreed facts. Counsel should attempt to resolve all differences involving only choice of language and to separate out all portions not in dispute in order to minimize the area of disagreement.
- b. In jury cases, proposed charges with supporting legal citations. If desired, proposed voir dire questions for prospective jurors and proposed special verdict forms may also be submitted at least one day prior to jury selection.
- c. In non-jury cases, proposed findings of fact and conclusions of law, with supporting legal citations.
- d. In non-jury cases, a brief summary of the salient portions of each deposition to be offered in evidence. Counter-summaries of opposing counsel may be filed at any time up to the end of trial or the time of filing post-trial briefs, if any. The summaries and counter-summaries will supplant the reading of depositions at the trial.

3. **By the Friday Preceding the Trial Date.** All exhibits should be pre-marked in the order in which they are expected to be used (using numerals for plaintiff’s exhibits and letters for defendant’s exhibits). Each party shall serve on each opposing party:

- a. A complete set of documentary exhibits, and
- b. A complete list of the names and addresses of witnesses. Expert witnesses should be designated as such and their areas of expertise indicated. Each side may utilize only one expert witness in any area of expertise.

4. At the Beginning of the Trial. The following should be handed to the Courtroom Deputy Clerk for the Judge

- a. A complete set of documentary exhibits
- b. A copy of the list of witnesses
- c. A list of all exhibits. An extra copy of the list of exhibits should be handed to the Courtroom Deputy Clerk.
- d. In non-jury cases, a copy of the deposition summaries.

5. 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 Robinson 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.