

# Hon. Katherine Levine

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## Part Rules Parts 20, 25, 92

360 Adams Street

Principal Law Clerk: Hajin Suh, Esq.

Courtroom Room Number: 461

Courtroom Telephone Number: 347-401-9265

Chambers Room Number: 560

Chambers Telephone Number: 347-404-9635

Principal Law Clerk: Tehilah Berman Kahan, Esq.

Assistant Law Clerk: David A. Karopkin, Esq.

Court Clerk: Sakinah Abdus-Samad

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## SUMMARY JUDGMENT MOTIONS

Summary Judgment motions on cases with a Note of Issue filed on or after May 1, 2014 must be made within (60) days of filing.

Cases with a Note of Issue filed prior to May 1, 2014 may have Summary Judgment motions filed within (120) days of such filing.

## PARTS 20 & 25 MOTIONS

1. All Motions involving the City of New York, including Orders to Show Cause, are argued on alternate Fridays.
2. All Motion papers must be filed in Motion Support. NO MOTION PAPERS OR PETITIONS WILL BE ACCEPTED IN CHAMBERS.
3. All e-filed motions should be submitted in hard copy to Motion Support one week before the return date.
4. Courtesy copies of all motions which include more than rudimentary issues of law or fact must be submitted to the Court at the time of oral argument.
5. Exhibits in support of a motion or in opposition must be separated by exhibit tabs.

6. Expert affirmations/affidavits must be one of the first exhibits following the attorney affirmation.
7. Motions may be adjourned by stipulation submitted to Motion Support, Room 227. If consent is not obtained, applications will be entertained at the calendar call.
8. There shall be two (2) calendar calls on motion days. The first call of the motion calendar will be at 10:00 a.m. sharp and the second call will be at 10:30 a.m. sharp.
9. All motions require oral argument unless there is no opposition to the motion.
10. Anyone failing to answer the second call of the calendar will have his motion marked off if he is the movant, or a default entered if he is the opposing party.
11. Calls regarding the motion calendar should be directed to the courtroom, not Chambers.
12. The parties shall try to resolve all requests for adjournments before seeking the intervention of the Court. All requests must be made on notice to the other side.

## **INFANT COMPROMISE & DEATH COMPROMISE ORDERS**

Petitions for compromise orders must be filed through Motion Support or through Special Term Part 72. These petitions are ex-parte applications which do not require a Notice of Motion and should not be placed on the motion calendar.

Infant Compromise petitions must comply with CPLR § 1208. If any portion of the settlement is structured, the cost of the annuity must be stated in the order. The attorney affirmation must account for all defendants named in the caption and indicate dismissals, discontinuances or defaults in appearances. A current medical report and an affirmation of no liens is required with the submissions.

Death Compromise petitions must comply with the provisions of EPTL §5-4.6 and include an affirmation of no liens or, where liens are asserted, documentation of such liens. The Order must include a directive for payment of liens.

If a Compromise Order was signed as to a previously settling defendant, such order must be attached as an exhibit and the partial settlement so stated in the attorney affirmation in support of the final Compromise Order.

Amendments to compromise orders must include a copy of the original compromise order and an attorney affirmation detailing the proposed amendment and the reason for it, in addition to any other necessary papers.

All submissions must be separated by exhibit tabs.

The Court's signature line must not appear on a page with no writing.

## **INQUIRIES**

All inquiries as to case or calendar status should, in the first instance, be made to the Part Clerk, Room 461, whose telephone number is (347) 401-9265.

## **CORRESPONDENCE**

No unsolicited courtesy copies of papers shall be sent to Chambers. All correspondence sent to Chambers shall be copied to all parties.

## **PART 92 TRIALS**

Prior to the commencement of a trial, the attorneys must have exchanged all proposed verdict sheets, requests to charge and motions in limine. Counsel must have copies for the Court after the jury is impounded but before the case is heard.

**NO EX-PARTE COMMUNICATIONS WILL BE ENTERTAINED**