

09/2006

JUDGE KORMAN  
COURTROOM #8A SOUTH  
PaulaMarie Susi, Case Manager  
(718) 613-2476

To facilitate the work of the Clerk's office, and to avoid confusion, all papers should bear the docket number for that case followed by the initials of the Judge (ERK) *as well as the initials of the Magistrate Judge assigned.*

For questions concerning procedure please refer to the Federal Rules of Civil (or Criminal) Procedure and the Local Rules of the Eastern District.

**Declaratory Judgment Actions brought by Insurance Companies**

In any action brought by an insurance company seeking a declaration that it is not liable to defend or indemnify an insured in an action pending in another court, the insurance company must also join the plaintiff in that action. See Fed. R. Civ. P. 19; Federal Kemper Ins. Co. v. Rauscher, 807 F.2d 345, 354 & n.5 (3d Cir. 1986).

**CALLS**

All calls concerning any calendar matters or adjournments should be made to Mrs. PaulaMarie Susi, Case Manager, at 718-613-2476. *Do not call regarding the **status** of any case or submission without **first** referring to the docket sheet.*

**Motions Returnable:** Set by the Court.

Unless otherwise ordered, matters before Judge Korman shall be conducted in accordance with the following rules:

**1. ELECTRONIC CASE FILING (ECF)**

**A. All documents in civil actions MUST be filed electronically. Questions regarding**

ECF filing or training should be directed to Terry Vaughn at (718) 613-2330/2610.

**B. Hard copies of all papers filed electronically, including motions, letters and stipulations, must be provided to Chambers. All such papers must be clearly marked “Courtesy Copy”, and indicate that the original was filed by ECF.**

**C. Parties filing voluminous or non-text exhibits shall only file hard copies.**

**D. Requests to be exempt from ECF requirements may be made before the Magistrate Judge assigned to the case**

### **\*\* MOTION PRACTICE**

The procedures specified above apply to all dispositive motions **other than** habeas corpus/prisoner petitions, H.H.S., **pro-se** litigation (call Mrs. Susi for instructions) and motions for default (which should be submitted to the judgment clerk for the Clerk's certification prior to filing with chambers).

The moving party will prepare its notice of motion, brief, affidavits and other supporting documentation to be filed via ECF. The notice of motion **shall not contain a return date**. Courtesy copies to be filed with chambers after the motion has been fully briefed and is ready for submission to the court.

If the opposition papers cannot be prepared within the normal 10-day period, the parties may agree to a briefing schedule (informing the court in writing). If the parties cannot so agree, they should telephone Mrs. Susi at 718-613-2476 to obtain the time within which the opposition papers must be prepared.

**THIS PROCEDURE IS TO BE FOLLOWED FOR CROSS MOTIONS AS WELL.**

This procedure is NOT to be used for motions covering discovery, pro hac vice admissions, amendments to the pleadings, etc. (See NOTE below). For **habeas corpus**/prisoner petitions, H.H.S., or **pro-se** litigation the parties are directed to call Mrs. Susi for direction.

**NOTE:** All non-dispositive motions (discovery, amendments to the pleadings...) are to be

considered referred to the Magistrate Judge assigned to the case. Please contact the appropriate chambers, or local motion practices, for the proper procedures.

Any questions concerning these new procedures should be directed to Mrs. Susi.

If the Court requires oral argument, parties will be notified via ECF.

### **OTHER**

Counsel shall appear promptly for all pre-trial conferences, prepared and authorized to discuss progress in the case, scheduling of further proceedings, and possible settlement. The Court may permit adjournment of a conference provided Mrs. Susi is notified three days prior to the date of conference.

### **Orders**

Orders, as well as stipulations of any kind, **will not** be mailed to the parties, you will receive ECF notification.