

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

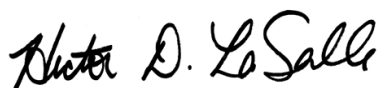
ADM 2023-0210

Pursuant to the power vested in it under section 85 of the Judiciary Law (Judiciary Law § 85), the Appellate Division of the Supreme Court for the Second Judicial Department hereby:

ORDERS that after a cause has been placed on the calendar and prior to argument or submission of that cause, a party to the appeal may request an exception to the limitation to the citation of recent authority pursuant to Section 670.15(g) of the Rules of Practice of this Court (22 NYCRR 670.15[g]), to submit argument pertaining to the Foreclosure Abuse Prevention Act (L 2022, ch 821, eff Dec. 30, 2022 [hereinafter the “Act”]). Such applications shall be made electronically by letter application submitted to the Court by email to the Clerk’s Office at ad2-ClerksOffice@nycourts.gov or uploaded to the Court’s portal https://www.nycourts.gov/courts/ad2/Digital_Submission.shtml on or before the date the cause has been placed on the calendar. Except upon good cause shown, the Court will not accept any application for leave made hereunder after the calendar date of the appeal. Upon leave being granted, any submissions hereunder shall be filed “concurrently” by the applicant and any other party to the appeal who wishes to do so within seven calendar days from the date that leave was granted, without response or reply to each other’s submission. Arguments made pursuant to this order shall be limited only to issues implicating the Act. The document submitted pursuant hereto shall be in PDF format limited in length to five double-spaced pages using a 12-point font. The provisions of this order governing the filing of letter applications and submission of arguments hereunder also apply to requests to submit argument pertaining to the Act after a cause has been fully briefed but before the cause has been placed on the calendar. Leave to make a submission hereunder shall be granted in the sole discretion of either the Justice Presiding over the panel of Justices hearing a cause on the calendar or, for an uncalendared cause, an Associate Justice of the Court. This order shall remain in effect until further directive of the Court.

Dated: Brooklyn, New York
February 10, 2023

For the Court:



Hector D. LaSalle
Presiding Justice