

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-against-

CV:

NOTICE DESIGNATING CASE TO COURT ANNEXED ARBITRATION

This case has been designated to participate in the Court Annexed Arbitration Program pursuant to Local Civil Rule 83.7(d) which requires the Clerk of Court to designate and process for compulsory arbitration "all civil cases (excluding social security cases, tax matters, prisoners' civil rights cases, and any action based on an alleged violation of a right secured by the Constitution of the United States or if jurisdiction is based in whole or in part on Title 28 U.S.C. sec. 1343) wherein money damages only are being sought in an amount not in excess of \$150,000.00 exclusive of interest and costs." Damages are presumed not to be in excess of the arbitration limit unless a certification is filed in accordance with Local Civil Rule 83.7(d)(3).

After an Answer is filed, the arbitration hearing will be set. Counsel will have 120 days to complete discovery unless the District Court Judge or Magistrate Judge orders a shorter or longer period for discovery. It is not anticipated that matters selected for Arbitration will require discovery directions. If a dispute arises which requires a ruling on a question related to discovery, you must move promptly before the assigned judge. Attorneys cannot adjourn or change the arbitration hearing date without approval from the Court.

Requests to extend discovery: must be filed as a motion via ECF.

Request to Adjourn an Arbitration Hearing : Must be filed as a motion via ECF

Telephone calls to request adjournment of an Arbitration hearing will not be considered. Counsel and Pro Se litigants should provide the Court with an email address for notification purposes.

You may refer to the Local Civil Rules for Arbitration of the U.S. District Court, Eastern District of New York on our web site, www.nyed.uscourts.gov/adr.

Effective November of 2010, after an Arbitration Hearing has been scheduled, counsel will be responsible for selecting an arbitrator to hear the case. The Arbitrator shall be selected from the Court's Panel of Arbitrators. Instructions will be provided when a hearing date has been set.

Dated: