

March 2025

**INDIVIDUAL PRACTICES OF
NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE**

Unless specified above or otherwise ordered by Judge Buchwald, matters before Judge Buchwald shall be conducted in accordance with the following practices:

1. Communications With Chambers

A. Letters. Letters may be filed via ECF if they comply with the S.D.N.Y. Local Rules and the S.D.N.Y. “Electronic Case Filing Rules and Instructions.” Letters to be filed under seal or containing sensitive or confidential information should be emailed to BuchwaldNYSDCChambers@nysd.uscourts.gov or delivered to the Court by fax, hand or mail. Copies of correspondence between counsel shall not be sent to the Court.

B. Requests for Adjournments or Extensions of Time. All requests for adjournments or extensions of time must state (1) the original date, (2) the number of previous requests 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 (reflecting only business days) must be attached. If the request is for an adjournment of a court appearance, absent an emergency it shall be made at least 48 hours prior to the scheduled appearance.

2. Motions

A. Letter-motions. Letter-motions may be filed via ECF if they comply with the S.D.N.Y. Local Rules and the S.D.N.Y. “Electronic Case Filing Rules and Instructions.” Simultaneously with the ECF filing of a letter a courtesy copy must be emailed to BuchwaldNYSDCChambers@nysd.uscourts.gov. Failure to promptly furnish a courtesy copy to Chambers will result in a delayed response since as a general matter, materials filed via ECF are reviewed by the Court the business day after they have been filed.

B. Pre-Motion Conferences in Civil Cases. A pre-motion conference is required before making any motion, except for motions to be brought on by an order to show cause, motions by incarcerated pro se litigants, motions for reargument, motions to remand, applications to be relieved as counsel, motions for relief from judgment, motions to vacate or confirm an arbitral award, or any other motion required by the Federal Rules of Appellate Procedure or the Federal Rules of Civil Procedure to be made by a time certain (see list below). The filing of a request for a pre-motion conference to dismiss prior to answer stays the time for the filing of an answer until after the conference is held or until further order of the Court. To request a pre-motion conference, the moving party shall submit a letter not to exceed three pages in length setting forth the basis for the anticipated motion. The other party should submit a response within three business days, not to exceed three pages in length.

Nothing in these Individual Practices supersedes a specific time period for filing a motion specified by statute or Federal Rule -- including but not limited to Fed. R. Civ. P. 50, 52, 54, 59, and 60, and Fed. R. App. P. 4 -- where failure to comply with the specified time period could result in forfeiture of a substantive right.

C. Motion Papers.

1. Motion papers shall be accompanied by a letter no longer than three pages outlining the substantive argument advanced in the motion papers. Such letters shall accompany opening memoranda of law and opposition memoranda of law. This letter requirement is separate from the pre-motion letter referenced in 2(B).
2. Unless prior permission has been granted, memoranda of law shall comply with Local Civil Rule 6.3 (Motions for Reconsideration) and Local Civil Rule 7.1 (Motion Papers). Memoranda shall contain a table of contents.
3. **Surreplies.** Surreply briefs are not allowed, absent specific permission from the Court for good cause.
4. **Motions for Leave to Amend Pleadings.** If any party seeks to amend its complaint, cross-claims, or counterclaims (either by right or through consent or motion), that party must conform to Local Civil Rule 15.1.
5. **Oral Argument on Motions.** Parties may request oral argument by letter at the time their moving or opposing or reply papers are filed or may include such a request in bold typeface next to the case caption. The Court will determine whether argument will be heard and, if so, will advise counsel of the argument date.
6. **Courtesy Copies.** Two courtesy copies of all motion papers, marked as such, shall be submitted to Chambers promptly after filing via ECF. Courtesy copies shall be bound or otherwise collated.

D. Default Judgments. Counsel should follow Local Civil Rules 55.1 and 55.2 and S.D.N.Y. “Electronic Case Filing Rules and Instructions” Rule 16.

E. Electronic Filing Under Seal in Civil and Miscellaneous Cases.

1. **Sealing/Redactions Not Requiring Court Approval.** Federal Rule of Civil Procedure 5.2 describes sensitive information that must be redacted from public court filings without seeking prior permission from the Court.
2. **Sealing/Redactions Requiring Court Approval.** Motions or Letter Motions for approval of sealed or redacted filings in civil and miscellaneous cases and the subject documents, including the proposed sealed document(s), must be filed electronically through the Court’s ECF system in conformity with the Court’s standing order, 19-mc-00583, and ECF Rules & Instructions, section 6.

Contemporaneously with the electronic filings, courtesy copies should be emailed to BuchwaldNYSDChambers@nysd.uscourts.gov or delivered to Chambers by fax, hand or mail.

3. Pretrial Procedures

The Court will set an individual schedule for filings prior to trial covering the subjects of pretrial orders, jury charges, in limine motions, proposed findings of fact and conclusions of law, and pretrial memoranda as appropriate.