

## **22 NYCRR § 202.8-g**

This document reflects those changes received from the NY Bill Drafting Commission through August 1, 2025

*NY - New York*

***Codes, Rules and Regulations*** >

***TITLE 22. JUDICIARY*** >

***SUBTITLE A. JUDICIAL ADMINISTRATION*** >

***CHAPTER II. UNIFORM RULES FOR THE NEW YORK STATE TRIAL COURTS*** >

***PART 202. UNIFORM CIVIL RULES FOR THE SUPREME COURT AND THE COUNTY COURT***

### **§ 202.8-g Motions for summary judgment; statements of material facts**

(a) Upon any motion for summary judgment, other than a motion made pursuant to CPLR 3213, the court may direct that there shall be annexed to the notice of motion a separate, short and concise statement, in numbered paragraphs, of the material facts as to which the moving party contends there is no genuine issue to be tried.

(b) In such a case, the papers opposing a motion for summary judgment shall include a correspondingly numbered paragraph responding to each numbered paragraph in the statement of the moving party and, if necessary, additional paragraphs containing a separate short and concise statement of the material facts as to which it is contended that there exists a genuine issue to be tried.

(c) Each numbered paragraph in the statement of material facts required to be served by the moving party may be deemed to be admitted for purposes of the motion unless specifically controverted by a correspondingly numbered paragraph in the statement required to be served by the opposing party. The court may allow any such admission to be amended or withdrawn on such terms as may be just.

(d) Each statement of material fact by the movant or opponent pursuant to subdivision (a) or (b) of this section, including each statement controverting any statement of material

fact, must be followed by citation to evidence submitted in support of or in opposition to the motion.

**(e)** In the event that the proponent of a motion for summary judgment fails to provide a statement of undisputed facts though required to do so, the court may order compliance and adjourn the motion, may deny the motion without prejudice to renewal upon compliance, or may take such other action as may be just and appropriate. In the event that the opponent of a motion for summary judgment fails to provide any counter statement of undisputed facts though required to do so, the court may order compliance and adjourn the motion, may, after notice to the opponent and opportunity to cure, deem the assertions contained in the proponent's statement to be admitted for purposes of the motion, or may take such other action as may be just and appropriate.

## **Statutory Authority**

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### **Section statutory authority:**

Civil Practice Law & Rules, § 3213

## **History**

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Added 202.8-g(effective 02/01/21) on 2/10/21; amended 202.8-g on 7/06/22; amended 202.8-g on 8/31/22.

NEW YORK CODES, RULES AND REGULATIONS