



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ALTERNATIVE DISPUTE RESOLUTION
UNDER CIRCUMSTANCES CREATED
BY COVID-19

GENERAL ORDER

WHEREAS, this Court issued a General Order detailing Court Operations during the COVID-19 Pandemic Event on March 13, 2020;

WHEREAS, all eligible civil cases in this District are automatically referred for Alternative Dispute Resolution (“ADR”), and it is expected that ADR referred cases will proceed to mediation in accordance with the ADR deadlines set forth in the initial Scheduling Order (L.R. Civ. P. 16(a); ADR Plan §§ 2.1(A), 4.1(A));

WHEREAS, the ADR process is confidential, and all named parties and their counsel are required to attend the mediation session(s) in person (L.R. Civ. P. 16(a); ADR Plan § 5.9(A));

IT IS HEREBY ORDERED that given the significant number of identified and projected cases of COVID-19 in Western New York and the severity of risk posed to the public, and given public health recommendations from public health authorities, effective today, March 16, 2020:

- 1) All ADR deadlines shall be extended by sixty (60) days, unless otherwise determined by the presiding or referral judge;
- 2) The Mediator in any case may elect to adjourn mediation sessions for the next sixty (60) days;
- 3) Notwithstanding the above, no mediation sessions will be conducted in the Courthouses of the Western District of New York during the next sixty (60) days;
- 4) If a mediation is adjourned, the Mediator shall prepare a Mediation Certification confirming to the Court that the mediation session has been adjourned, including

the new date for the mediation session as agreed upon by the Mediator and the parties, and send it to "adrprogram@nywd.uscourts.gov" for filing;

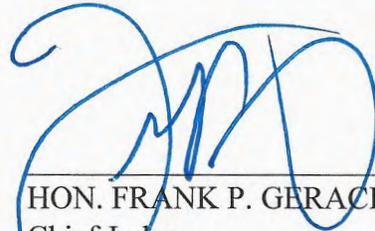
- 5) This Order shall apply to all Case Management/Scheduling Orders with ADR deadlines issued within the next sixty (60) days.

IT IS FURTHER ORDERED that the Court's ADR Program remains open, subject to the above limitations. Electronic ADR filings including Stipulations selecting a Mediator and Mediation Certifications may still be made through the CM/ECF system and ADR Program.

IT IS FURTHER ORDERED that this Order shall remain in effect until May 16, 2020, unless otherwise ordered by the Court. The Court reserves the right to amend, modify, terminate, or extend this Order at any time.

IT IS SO ORDERED.

Dated: March 16, 2020
Rochester, New York



HON. FRANK P. GERACI, JR.
Chief Judge
United States District Court