

December 5, 2012

COURT NOTICE
Eastern and Southern Districts of New York

The Courts have adopted revisions to Local Admiralty and Maritime Rules. Prior to its taking effect the public is invited to comment.

Comments are to be submitted, in writing, on or at the close of business, Friday, January 11, 2013 to:

Edward A. Friedland
District Court Executive
U.S. Courthouse
500 Pearl Street, Room 820
New York, NY 10007-1312

or

Douglas C. Palmer
Clerk of Court
U.S. Courthouse
225 Cadman Plaza
Brooklyn, NY 11201

These revisions will become effective upon approval by the Second Circuit Judicial Council.

Local Admiralty Rule B.2. Notice of Attachment

The plaintiff shall give prompt notice to the defendant of the attachment following plaintiff's being advised of such attachment by the garnishee. Such notice shall be in writing, and may be given by telex, telegram, cable, fax, e mail or other verifiable electronic means.

Local Admiralty Rule C.1. Intangible Property

The summons issued pursuant to Supplemental Rule C(3)(c) shall direct the person having control of freight or proceeds of property sold or other intangible property to show cause at a date which shall be at least fourteen (14) days after service (unless the court, for good cause shown, shortens the period) why the intangible property should not be delivered to the court to abide the judgment. The person who is served may deliver or pay over to the marshal the intangible property proceeded against to the extent sufficient to satisfy the plaintiff's claim. If such delivery or payment is made, the person served is excused from the duty to show cause.