

## The Quarterly Survey of New York Practice Table of Contents

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# THE QUARTERLY SURVEY OF NEW YORK PRACTICE

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# THE QUARTERLY SURVEY OF NEW YORK PRACTICE

## *Introduction\**

Readers of the *Survey* should be particularly interested in *Minichiello v. Rosenberg*, reported under Article 52. In this latest attempt to have *Seider v. Roth* declared unconstitutional, the United States Court of Appeals has decided in favor of *Seider* protagonists. However, the victory may only be temporary. A motion to reargue has been granted and the case will now be heard en banc. Also of interest are two decisions, reported under Article 32, liberally construing and applying CPLR 3213.

The *Survey* sets forth in each installment those cases which are deemed to make the most significant contribution to New York's procedural law. Due to limitations of space, however, many other less important, but, nevertheless, significant cases cannot be included. While few cases are exhaustively discussed, it is hoped that the *Survey* accomplishes its basic purpose, viz., to key the practitioner to significant developments in the procedural law of New York.

The Table of Contents is designed to direct the reader to those specific areas of procedural law which may be of importance to him. The various sections of the CPLR which are specifically treated in the cases are listed under their respective titles.

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\* The following abbreviations will be used uniformly throughout the *Survey*:

New York Civil Practice Law and Rules .....	CPLR
New York Civil Practice Act .....	CPA
New York Rules of Civil Practice .....	RCP
New York City Civil Court Act .....	CCA
Uniform District Court Act .....	UDCA
Uniform City Court Act .....	UCCA
Real Property Actions and Proceedings Law .....	RPAPL
Domestic Relations Law .....	DRL

Extremely valuable in understanding the CPLR are the five reports of the Advisory Committee on Practice and Procedure. They are contained in the following legislative documents and will be cited as follows:

1957 N.Y. LEG. DOC. NO. 6(b) .....	FIRST REP.
1958 N.Y. LEG. DOC. NO. 13 .....	SECOND REP.
1959 N.Y. LEG. DOC. NO. 17 .....	THIRD REP.
1960 N.Y. LEG. DOC. NO. 20 .....	FOURTH REP.

1961 FINAL REPORT OF THE ADVISORY COMMITTEE ON PRACTICE AND PROCEDURE .....	FINAL REP.
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Also valuable are the two joint reports of the Senate Finance and Assembly Ways and Means Committees:

1961 N.Y. LEG. DOC. NO. 15 .....	FIFTH REP.
1962 N.Y. LEG. DOC. NO. 8 .....	SIXTH REP.