Rule 3403. Trial preferences. (a) Preferred cases. Civil cases shall be tried in the order in which notes of issue have been filed, but the following shall be entitled to a preference:

1. an action brought by or against the state, or a political subdivision of the state, or an officer or board of officers of the state or a political subdivision of the state, in his or its official capacity, on the application of the state, the political subdivision, or the officer or board of officers;

2. an action where a preference is provided for by statute; and

3. an action in which the interests of justice will be served by an early trial.

4. in any action upon the application of a party who has reached the age of seventy years.

5. an action to recover damages for medical, dental or podiatric malpractice.

6. an action to recover damages for personal injuries where the plaintiff is terminally ill and alleges that such terminal illness is a result of the conduct, culpability or negligence of the defendant.

7. any action which has been revived pursuant to section two hundred fourteen-g or two hundred fourteen-j of this chapter.

(b) Obtaining preference. Unless the court otherwise orders, notice of a motion for preference shall be served with the note of issue by the party serving the note of issue, or ten days after such service by any other party; or thereafter during the pendency of the action upon the application of a party who reaches the age of seventy years, or who is terminally ill.