

SUPREME COURT OF THE STATE OF NEW YORK - NEW YORK COUNTY

PRESENT: Hon. Peter H. Moulton  
Administrative Order

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MICHAEL PORAT,

Plaintiff,

-against-

INDEX NO. 650645/15

THE BANK LEUMI LE-ISRAEL TRUST  
COMPANY LTD., LEUMI PRIVATE BANK  
S.A., BANK LEUMI (LUXEMBOURG) S.A.,  
et al.,

Defendants,

-and-

BANK LEUMI le-Israel, B.M. and BANK  
LEUMI USA,

Nominal Defendants.

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Administrative Order:

By letter dated May 11, 2016, counsel for the nominal defendants, Bank Leumi le-Israel B.M. and Bank Leumi USA, requests that this action be assigned to the Commercial Division pursuant to Uniform Rule 202.70. The court has received no opposition to the request.

This shareholder derivative and double shareholder derivative action alleges breach of fiduciary duties, as well as waste of corporate assets, by the defendants in connection with an alleged multi-year tax evasion scheme. Both equitable relief and damages in excess of \$500,000 are sought. Thus, the action falls within the standards for assignment of cases to the Commercial Division (see Uniform Rule 202.70 [a], [b] [1], [4], [6] and [7]). Although the Request for Judicial Intervention and required addendum were not filed within 90 days of service of the complaint (see Uniform Rule 202.70 [d]), good cause to excuse the delay exists since the parties voluntarily agreed to stay the action in view of anticipated developments in similar derivative lawsuits pending in Israel.

The request for assignment to the Commercial Division is granted, and the General Clerk's Office is directed to randomly assign this case to a Justice of the Commercial Division.

Dated: May 18, 2016

ENTER:  , A.J.  
**HON. PETER H. MOULTON**  
J.S.C.