

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

PRESENT: Hon. Peter H. Moulton  
Administrative Order

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STATE OF NEW YORK, ex rel.,  
RAW DATA ANALYTICS LLC,

Plaintiff,

- v -

INDEX NO. 100271/15

JP MORGAN CHASE & CO., JPMORGAN  
CHASE BANK NA, CHASE BANK USA NA,  
CHASE AUTO FINANCE CORP., and J.P.  
MORGAN SECURITIES LLC,

Defendants.

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Administrative Order:

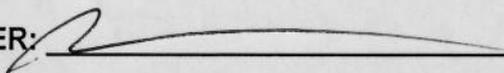
By letters dated June 24 and July 5, 2016, counsel for the defendants (Chase) requests assignment of this case to the Commercial Division pursuant to Uniform Rule 202.70 (b) (1) and (b) (6). Counsel for plaintiff Raw Data Analytics LLC objects by its counsel's July 1<sup>st</sup> letter.

This is a qui tam action, brought pursuant to the New York False Claims Act, N.Y. State Finance Law §§ 187-194, in which the plaintiff alleges that, since at least 2005, Chase knowingly made and submitted to the Office of the New York State Controller (OSC) false records and statements regarding abandoned property that must be escheated to the OSC so that Chase could avoid paying the statutory 10% interest required by section 1412 of the N.Y. Abandoned Property Law.

Counsel for Chase maintains that this action belongs in the Commercial Division pursuant to Uniform Rule 202.70 (b) (1), because it alleges a statutory violation arising out of Chase's business dealings, including cash dividend payments, checking and savings accounts, and vendor payments. I disagree, and agree with plaintiff's counsel that this action does not arise from business dealings with Chase's customers, but from its statutory duty to promptly escheat abandoned properties to New York State and pay interest on properties escheated past the statutory deadlines. Subsection (b) (6) is also not applicable, as this case is not about business transactions between commercial banks and other financial institutions.

For these reasons, Chase's request for assignment to the Commercial Division is denied.

Dated: July 13 2016

ENTER:  , A.J.

Check one:  FINAL DISPOSITION  NON-FINAL DISPOSITION