

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

PRESENT: HON. JACQUELINE W. SILBERMANN
Administrative Judge Justice

~~PART~~ _____

International Flavors & Fragrances Inc.
- v -

Insurance Company of the State of Pennsylvania

INDEX NO. 604469/2005

MOTION DATE _____

MOTION SEQ. NO. _____

MOTION CAL. NO. _____

Administrative Order

The following papers, numbered 1 to _____ were read on this motion to/for _____

PAPERS NUMBERED

Notice of Motion/ Order to Show Cause — Affidavits — Exhibits ...

Answering Affidavits — Exhibits _____

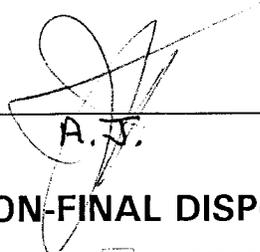
Replying Affidavits _____

Cross-Motion: Yes No

~~Upon the foregoing papers, it is ordered that this motion~~

Counsel for plaintiff seeks a directive reassigning this matter to the Commercial Division. The corporate plaintiff seeks to recover \$ 6.4 million for defendant's breach of an insurance contract covering plaintiff's business activities. Defendant asserts a counterclaim for a declaratory judgment and asserts that this controls here over plaintiff's claim for damages. I do not think this is correct. Defendant also asserts that plaintiff failed to comply with the obligation to submit a statement in support of the Commercial assignment, but that contention is not well-founded. Although the statement was served a day after the Request for Judicial Intervention, it was filed with the RJI. Such filing suffices for assignment purposes and in fact resulted in the initial assignment. Accordingly, the Motion Support Office is directed to reassign this matter to Justice Bernard J. Fried.

Dated: 4/19/06


A. J. JSC

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION

Check if appropriate: DO NOT POST REFERENCE

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE FOR THE FOLLOWING REASON(S):