

Plaintiff(s),

ATTORNEY'S STATEMENT IN SUPPORT OF REQUEST
FOR ASSIGNMENT TO COMMERCIAL DIVISION

v.

Index No: _____

Defendant(s).

R.J.I. No: _____

_____, counsel for _____,

the _____, in this action, submits this Statement and the accompanying pleadings pursuant to Uniform Rules for the Trial Courts § 202.70(d)(2) in support of the request for assignment of this matter to the Commercial Division of this Court.

1. The **principal claims** in this case are: (check one)

- Breach of contract or fiduciary duty, fraud, misrepresentation, business tort (e.g. unfair competition), or statutory and/or common law violation where the breach or violation is alleged to arise out of business dealings (e.g., sales of assets or securities; corporate restructuring; partnership, shareholder, joint venture, and other business agreements; trade secrets; restrictive covenants; and employment agreements not including claims that principally involve alleged discriminatory practices).
- Transactions governed by the UCC (exclusive of those concerning individual cooperative or condominium units).
- Transactions involving commercial real property, including Yellowstone injunctions and excluding actions for the payment of rent only.
- Shareholder derivative actions — without consideration of the monetary threshold.
- Commercial class actions – without consideration of the monetary threshold.
- Business transactions involving or arising out of dealings with commercial banks and other financial institutions.
- Internal affairs of business organizations.
- Malpractice by accountants or actuaries, and legal malpractice arising out of representation in commercial matters.
- Environmental insurance coverage.
- Commercial insurance coverage (e.g. directors and officers, errors and omissions, and business interruption coverage).
- Dissolution of corporations, partnerships, limited liability companies, limited liability partnerships and joint ventures – without consideration of the monetary threshold.
- Applications to stay or compel arbitration and affirm or disaffirm arbitration awards and related injunctive relief pursuant to CPLR Article 75 involving any of the foregoing enumerated commercial issues – without consideration of the monetary threshold.

2. The primary relief sought in this case is either equitable or declaratory or, unless otherwise authorized above, the sum at issue (exclusive of punitive damages, interest, costs, disbursements, and counsel fees claimed) **is equal to or in excess of \$25,000**, the monetary threshold of the Commercial Division in this County. Identify relief sought: _____.

3. This is not an action to collect professional fees, obtain a declaratory judgment as to insurance coverage for personal injury or property damage or to enforce a judgment. This is not an action concerning a residential real estate dispute, including landlord-tenant matters, or a commercial real estate dispute involving the payment of rent only. This is not an action for first-party insurance benefits or an action to collect premiums or to rescind a non-commercial insurance policy.

Dated: _____ (Attorney Signature)

_____ (Firm Name/Address)

_____ (Phone)

_____ (Fax)