

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

PRESENT: Hon. Peter H. Moulton
Administrative Order

UNITED DISPLAYS, INC. DBA C&C WOODWORK,
NORTHEAST STEEL FABRICATORS, INC., TIGER
CONTRACTING CORPORATION OF NEW YORK
and ISLAND INTERNATIONAL INDUSTRIES INC.,

Petitioners,

- v -

INDEX NO. 656695/2016

NATIONAL UNION FIRE INSURANCE COMPANY
OF PITTSBURGH, PA., ON BEHALF OF ITSELF AND
EACH OF ITS RELATED COMPANIES THAT PROVIDED
COVERAGE TO RESPONDENTS,

Respondent,

ISLAND LATHING AND PLASTERING INC., and
ISLAND DIVERSIFIED INC.

Administrative Order:

By letter dated January 3, 2017, respondent timely applies for a transfer of this proceeding to the Commercial Division pursuant to Uniform Rule 202.70. The court has not received any objection to this application.

Counsel for respondent contends that this matter should be assigned to the Commercial Division pursuant to Uniform Rule 202.70 (b) (12), because it is an application to stay arbitration pursuant to CPLR Article 75 and the amount in controversy exceeds \$500,000. However, the matter must also involve one of the commercial issues set forth in Uniform Rule 202.70 (b). The underlying arbitration seeks to recover insurance premiums for workers' compensation and general liability insurance coverages, which is specifically excluded from the Commercial Division (see Uniform Rule 202.70 [c] [5]).

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

Dated: January 9, 2017

ENTER:  _____, A.J.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION