STATE OF NEW YORK
UNIFIED COURT SYSTEM
FIRST JUDICIAL DISTRICT
SUPREME COURT, CIVIL BRANCH
60 CENTRE STREET
NEW YORK, NY 10007-1474
(646) 386-3211
FAX (212) 227-2919

A. GAIL PRUDENTI
Chief Administrative Judge

SHERRY KLEIN HEITLER
Administrative Judge for Civil Matters
First Judicial District

FERN A. FISHER
Deputy Chief Administrative Judge
New York City Courts

ADMINISTRATIVE ORDER

Pursuant to the Administrative Order of the Chief Administrative Judge of the Courts of the State of New York dated September 16, 2013 (AO/224/13), and by the authority vested in me as Administrative Judge for Civil Matters of the First Judicial District, in order most efficiently to process the matters described herein, for the benefit of all litigants to such cases and the court, I hereby direct as follows.

Except as otherwise provided herein, all international arbitration matters filed in this court that fall within Section 202.70 (b) of the Uniform Rules for the Trial Courts ("commercial international arbitration matters") shall be assigned to Commercial Division Part 53 (Hon. Charles E. Ramos). Such commercial international arbitration matters shall include, but not be limited to, all commercial international proceedings brought under CPLR Article 75 or under the Federal Arbitration Act, 9 U.S.C. § 1 et seq. Such matters shall not, however, include those arising out of a relationship that is entirely between citizens of the United States, unless that relationship involves property located abroad, envisages performance or enforcement abroad, or has some other reasonable connection to one or more foreign states. For the purpose of this Administrative Order, a corporation is a citizen of the United States if it is incorporated or has its principal place of business in the United States.

A party filing a special proceeding involving a commercial international arbitration shall designate the matter as "Other Special Proceeding" on the Request for Judicial Intervention and write "international arbitration" in the space provided. If an issue is raised regarding international arbitration in an action that is pending but not yet assigned (e.g., a motion to stay and to compel such arbitration pursuant to an agreement), a party filing the RJI shall designate the case as "Other Commercial" on the RJI and write "international arbitration" in the space provided. If an RJI is filed as provided in this paragraph, a Commercial Division RJI Addendum must be filed therewith and the filer shall note thereon as well that the matter involves international arbitration. Further, a copy of this Administrative Order shall be annexed to any RJI presented regarding international arbitration. The clerk shall assign to Part 53 commercial international arbitration matters as

designated on the RJI in accordance herewith.

If a commercial international arbitration matter is assigned to a Part other than that designated by this Order because the filing party did not complete the RJI as directed herein, any party may apply by letter application (with a copy to all parties) to the Administrative Judge, within ten days after receipt of a copy of the RJI, for a transfer of the case to Part 53. If, after any other case is assigned to a Part other than Part 53, an issue arises therein as to whether matters in the case are subject to commercial international arbitration (e.g., where a contested motion is made seeking to stay the case and enforce a provision for commercial international arbitration), or it otherwise appears that the case satisfies the requirements for commercial international arbitration matters as defined herein, the Justice to whom that case is assigned may, in his or her discretion, transfer the case to Part 53, subject to the right to appeal to the Administrative Judge within ten days from receipt of the order of transfer. The determination of the Administrative Judge regarding assignment of such matters shall be final and subject to no further administrative review or appeal.

Dated: New York, New York
         October 3 , 2013

_____
Hon. Sherry Klein Heitler