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

PRESENT: Hon. Sherry Klein Heitler
             Administrative Order

ROCKWELL GLOBAL CAPITAL, LLC,

               Plaintiff,

           - v -   INDEX NO. 653017/2011

SOREIDE LAW GROUP PLLC, LARS K. SOREIDE,
FREDERICK J. SEELY, and SALVATORE CLARK,

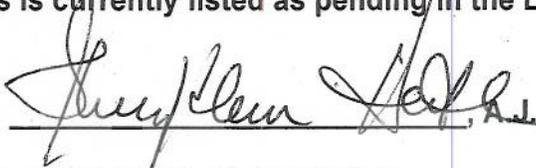   Defendants.

Administrative Order:

By letter dated December 23, 2011, counsel for defendants Soreide Law Group PLLC, Lars K. Soreide, and Frederick J. Seely requests that this action be transferred into the Commercial Division pursuant to Uniform Rule 202.70(e). Plaintiff opposes this request.

Uniform Rule 202.70(b)(1) provides that actions in which the principal claims are for "[b]reach 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., .. trade secrets; restrictive covenants; and employment agreements not including claims that principally involve alleged discriminatory practices)" will be heard in the Commercial Division, provided the $150,000 monetary threshold for New York County is met or equitable or declaratory relief is sought.

There is no doubt that this case meets the standards for assignment to the Commercial Division. Plaintiff seeks monetary damages, in excess of $5,000,000, for, inter alia, tortious interference with contract and business relations, conversion, misappropriation of proprietary information, and breach of contract. The claims in this action arise out of defendants' alleged unlawful misappropriation of plaintiff's confidential and proprietary information.

Accordingly, the request for a transfer to the Commercial Division is granted. The Motion Support Office is directed to randomly reassign this case to a Justice of the Commercial Division. A motion to dismiss is currently listed as pending in the E-File Submission Part on January 25, 2012.

Dated: January 9, 2012   ENTER: _____ A.J.

Check one: ❑ FINAL DISPOSITION   ❑ NON-FINAL DISPOSITION