

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

PRESENT: Hon. Peter H. Moulton
Administrative Order

In the matter of the application of
MURRAY ENERGY CORPORATION,

Petitioner,

For an order pursuant to section 3102 (c)
of the Civil Practice Law and Rules to compel
pre-action disclosure from

REORG RESEARCH, INC.,

INDEX NO. 157797/2016

Respondent,

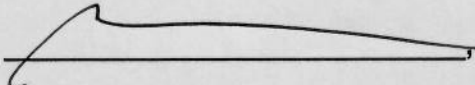
of the identify of the defendants JOHN DOES
1 - 10, being unknown to Petitioner, in an action
to be commenced.

Administrative Order:

By letter dated September 29, 2016, counsel for respondent Reorg Research, Inc. (Reorg) requests a transfer of this proceeding from I.A.S. Part 35 (Edmead, J.) to the Commercial Division pursuant to Uniform Rule 202.70. Petitioner submits a responsive letter dated October 3, 2016, advising that it takes no position on Reorg's request.

This is a special proceeding, brought pursuant to CPLR 3102 (c), to compel the disclosure of the identity of certain individuals who allegedly, and in violation of a confidentiality agreement they signed with petitioner, disclosed confidential financial information about the petitioner to the respondent subscription service. Reorg maintains that it is protected from disclosing the identities of confidential sources by New York's Shield Law, N.Y. Civil Rights Law § 79-h. This dispute does not fall within any of the guidelines for assignment to the Commercial Division (see Matter of F.TV (BVI) Limited, Index No. 100064/13, Admin. Order dated Jan. 31, 2013). The request is also untimely (see Uniform Rule 202.70 [e]). For these reasons, Reorg's request for assignment to the Commercial Division is denied.

Dated: October 4, 2016

ENTER:  A.J.

Check one: ☐ FINAL DISPOSITION

☐ NON-FINAL DISPOSITION

HON. PETER H. MOULTON
SUPREME COURT JUSTICE