

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

PRESENT: Hon. Peter H. Moulton
Administrative Order

URS CORPORATION and URS CORPORATION - NEW,
YORK,

Plaintiffs,

- v -

INDEX NO. 653952/2012

ZURICH AMERICAN INSURANCE COMPANY, et al.,

Defendants.

Administrative Order:

By letter dated February 19, 2016, plaintiffs' counsel seeks review of the Hon. Shirley W. Kornreich's order dated February 10, 2016 transferring this action to a non-commercial part. By virtue of that order, the case is now assigned to the Hon. Barry R. Ostrager (Part 61). To date, no other correspondence on this matter has been received.

In this action, plaintiffs seek a declaratory judgment as to insurance coverage for underlying actions concerning claims against them for personal injury arising out of a fire at the Deutsche Bank building in 2007. I concur with Justice Kornreich that this action does not meet the standards for assignment to the Commercial Division (see Uniform Rule 202.70 [c] [2] "[c]ases seeking a declaratory judgment as to insurance coverage for personal injury or property damage"), and it is well within her discretion to transfer this non-commercial matter to a General I.A.S. Part.

Plaintiffs' counsel also urges this court to consider that Justice Kornreich has been presiding over a related action, Bovis v. URS, Index No. 600984/09 (the Bovis Action). However, the Bovis Action is assigned to the Hon. Saliann Scarpulla, not Justice Kornreich, and, nevertheless, after a review of the complaint, it is not truly related to the case at bar.

Accordingly, plaintiffs' request is denied and this case will remain with General I.A.S. Part 61 (Ostrager, J.).

Dated: February 26, 2016

ENTER: , A.J.

Check one: ☐ FINAL DISPOSITION

☐ NON-FINAL DISPOSITION