

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

CENTURY INDEMNITY COMPANY, as
successor to CCI INSURANCE COMPANY, as
successor to INSURANCE COMPANY OF
NORTH AMERICA, and TIG INSURANCE
COMPANY, formerly known as
INTERNATIONAL INSURANCE COMPANY,

Plaintiffs,

- v -

INDEX NO. 105491/2010

LIBERTY MUTUAL INSURANCE COMPANY,
et al.,

Defendants.

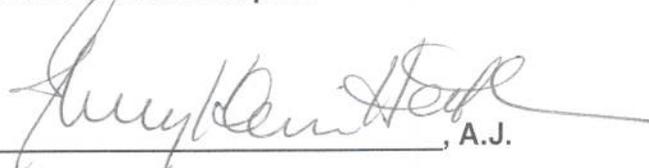
Administrative Order:

By letter dated December 27, 2010, counsel for plaintiff Century Indemnity Company timely appeals the December 16, 2010 decision of the Hon. Bernard J. Fried to re-assign this action to a non-commercial part. With the exception of defendant Warren Pumps LLC, all other parties wish to stay in the Commercial Division.

This action seeks a declaratory judgment as to insurance coverage for personal injuries relating to asbestos claims. Therefore, I agree with Justice Fried that it does not meet the standards for assignment to the Commercial Division. See Uniform Rule 202.70 (c) (2) (excluding cases seeking a declaratory judgment as to insurance coverage for personal injury and property damage). While the case is undoubtedly "complex," this does not justify departure from the dictates of the Commercial Division guidelines.

Accordingly, the case will remain in a non-commercial part.

Dated: January 6, 2011

ENTER: , A.J.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION