

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

In the Matter of Application of

MONARCH CONSULTING, INC., et al.,

Petitioners,

- v -

INDEX NO. 102187/11

For an Order and Judgment Staying the Arbitration
Commenced by

NATIONAL UNION FIRE INSURANCE COMPANY
OF PITTSBURGH, PA., et al.

Respondent.

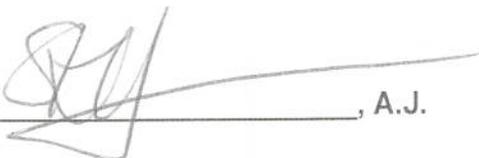
Administrative Order:

By letter dated March 3, 2011, counsel for respondent timely applies for a transfer of this proceeding from I.A.S. Part 48 (Oing, J.) to the Commercial Division pursuant to Uniform Rule 202.70. The court has not received objection to this application.

Counsel for respondent contends that this matter should be assigned to the Commercial Division, as it is an application to stay arbitration pursuant to Article 75. Uniform Rule 202.70 (b) (12) provides that applications to stay arbitration, pursuant to Article 75, should be heard in the Commercial Division, but the matter must involve one of the commercial issues set forth in Uniform Rule 202.70 (b). The underlying arbitration seeks to recover additional security for disputed workers' compensation claims, which is specifically excluded from the Commercial Division (see Uniform Rule 202.70 [c] [5]).

For these reasons, respondent's request that this case be assigned to the Commercial Division is denied.

Dated: March 14, 2011

ENTER:  _____, A.J.

HON. SHERRY KLEIN HEITLER

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION