

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

NATIONAL UNION FIRE INSURANCE COMPANY
OF PITTSBURGH, PENNSYLVANIA, ASSOCIATED
ELECTRIC & GAS INSURANCE SERVICES LIMITED,
ACE INSURANCE, and ARCH INSURANCE
COMPANY,

Plaintiffs,

- v -

INDEX NO.: 650515/10

TRANSCANADA ENERGY USA. and
TC RAVENSWOOD SERVICES CORP.,

Defendants.

Administrative Order:

By letter dated March 29, 2011, newly-retained counsel for the plaintiffs requests that this action be transferred from I.A.S. Part 12 (Feinman, J.) to the Commercial Division pursuant to Uniform Rule 202.70 (e). Although counsel references a Statement in Support of Request for Assignment to the Commercial Division in his letter, the court did not see said statement in the papers submitted.

Uniform Rule 202.70 (e) places a 10-day time limit on these applications, measured from the receipt of a copy of the RJL. The RJL was both filed with the Trial Support Office and served by counsel for the defendants by first class mail and e-mail on February 25, 2011. In addition, according to the Summons and Complaint on file with the County Clerk, this action seeks a declaratory judgment as to insurance coverage for property damage, and thus does not qualify for assignment to the Commercial Division. See Uniform Rule 202.70 (c) (2).

Accordingly, the request to transfer this action into the Commercial Division is denied.

Dated: March 31, 2011

ENTER:  _____, A.J.

HON. SHERRY KLEIN HEITLER
ADMINISTRATIVE JUDGE

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION