

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

PRESENT: HON. JACQUELINE W. SILBERMANN  
Administrative Judge Justice

~~PART~~ \_\_\_\_\_

Northwestern Natl. Ins. Co.

INDEX NO. 104382/2004

- v -

ROM Reinsurance Co., et al.

MOTION DATE \_\_\_\_\_

MOTION SEQ. NO. 001

MOTION CAL. NO. \_\_\_\_\_

The following papers, numbered 1 to \_\_\_\_\_ were read on this motion to/for \_\_\_\_\_

PAPERS NUMBERED

Notice of Motion/ Order to Show Cause — Affidavits — Exhibits ...

Answering Affidavits — Exhibits \_\_\_\_\_

Replying Affidavits \_\_\_\_\_

Cross-Motion:  Yes  No

~~Upon the foregoing papers, it is ordered that this motion~~

Respondents request a transfer of this matter to the Commercial Division. Respondents rely upon Paragraph E of the *Guidelines for Assignment of Cases to the Commercial Division*. That Paragraph is addressed to matters prior to assignment. As this case was assigned as a non-Commercial case based upon an RJI so indicating, Paragraph E technically does not apply. Transfer would have to be made by analogy to Paragraph G. In order to afford the assigned Justice an opportunity to state a view on the request as required by Paragraph G, I conferred with Justice Solomon, who has deferred to my judgment in the matter. The factual backdrop against which this application is brought is complicated, the case is clearly commercial in nature and the sums involved are substantial. I conclude that this case is sufficiently complex to justify assignment to the Commercial Division. Accordingly, I direct the Motion Support Office to reassign this matter at random to a Commercial Division Part.

Dated: 5/20/04

J.S.C.

Check one:  FINAL DISPOSITION  NON-FINAL DISPOSITION

Check if appropriate:  DO NOT POST

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE FOR THE FOLLOWING REASON(S):