

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

PRESENT: Hon. Peter H. Moulton  
Administrative Order

---

SHIPYARD QUARTERS MARINA, L.L.C.,

Plaintiff,

- v -

INDEX NO. 651854/2015

NEW HAMPSHIRE INSURANCE COMPANY,

Defendant.

---

**Administrative Order:**

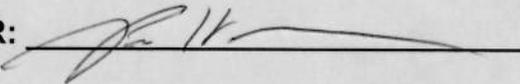
By letter dated July 27, 2015, counsel for plaintiff requests a transfer of this action to the Commercial Division. To date, no opposition from defendant has been received.

This action seeks to recover damages of \$1,000,000 for defendant's alleged breach of its obligations to provide insurance coverage in accordance with various insurance policies. Specifically, the complaint alleges that defendant failed to provide coverage, including defense and indemnification, to plaintiff in an underlying action brought by the Commonwealth of Massachusetts (the Commonwealth). In the underlying action, the Commonwealth alleged that the marina owned by plaintiff was in disrepair and causing injury and public nuisance to the Boston Harbor and surrounding area, creating safety and environmental concerns. The Commonwealth also alleged that plaintiff was liable for attempting to wrongfully evict licensees and for false advertising on its website.

Assignment of this action to the Commercial Division is appropriate under Uniform Rules 202.70 (b) (1) (breach of contract involving business matters) and 202.70 (b) (10) ("commercial insurance coverage").

Accordingly, the General Clerk's Office is directed to randomly reassign this case to the Commercial Division. (A motion to dismiss the complaint is currently returnable in the E-filed Submissions Part on August 18, 2015.)

Dated: August 6, 2015

ENTER:  \_\_\_\_\_, A.J.

Check one:  FINAL DISPOSITION  NON-FINAL DISPOSITION