

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, SC.
COURT

SUPERIOR

ADMINISTRATIVE ORDER NO. 2001-9

RE: BUSINESS CALENDAR

There is hereby established for the Counties of Providence and Bristol, a “Business Calendar”.

I. Civil actions in which the principal claim or claims involve the following are appropriate matters to be assigned to the Business Calendar for all purposes, including motion practice, discovery disputes, injunctive relief and hearing on the merits (with or without a jury);

- (a) Breach of contract or fiduciary duties, fraud, misrepresentation, business tort or statutory violations arising out of business dealings and/or transactions;
- (b) Transactions governed by the provisions of the Uniform Commercial Code;
- (c) Complicated transactions involving commercial real property;
- (d) Shareholder derivative actions;
- (e) Commercial class actions;
- (f) Commercial Bank transactions;

- (g) Matters affecting the internal affairs or governance of business organizations or entities;
- (h) Business insolvencies and receiverships.

II. Simple collection matters, declaratory judgment proceedings with respect to insurance coverage, confirmation or vacation of arbitration awards, and general landlord and tenant issues shall not be assigned to the Business Calendar.

III. New matters shall be assigned to the Business Calendar at the request of the plaintiff upon the filing of the Complaint, or of the defendant, not later than ten days following the filing of defendant's entry of appearance, but only with the assent of the Justice designated to be in charge of the Business Calendar. In this connection, the party moving shall set up, as soon as practicable, a chambers conference with said Justice.

IV. In connection with cases presently pending, but not yet assigned to a trial date, either party may request assignment to the Business Calendar with the assent of such Justice procured at a conference to be set up as aforesaid.

V. It is the intent of the Superior Court to process matters on the Business Calendar in as expeditious a manner as possible. To that end, the Justice in charge of the Calendar is vested with the power to require mandatory

submission of the dispute to non-binding mediation. Failure to comply with an Order to that effect may be sanctionable.

VI. The Justice in charge of the Business Calendar may establish generally, or in a particular case, informal procedures not inconsistent with law which he/she believes will be helpful in achieving prompt resolution of discovery disputes or other preliminary matters.

VII. In the event of the absence of the Justice in charge of the Business Calendar, any application or motions with respect to matters on the Business Calendar should be taken up with the Justice in charge of the Formal and Special Cause Calendar.

VIII. The Business Calendar to commence operation on Monday, June 4, 2001, in Courtroom No. 17. Justice Michael Silverstein will be in charge of said Calendar from June 4, 2001, through Tuesday, December 18, 2001.

BY ORDER OF:

JOSEPH F. RODGERS, JR.
PRESIDING JUSTICE

DATED: April 17, 2001

