

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, SC.

SUPERIOR COURT

ADMINISTRATIVE ORDER NO. 2011-10

RE: BUSINESS CALENDAR

There is hereby established a Statewide Business Calendar for the Counties of Providence and Bristol, Kent, Washington and Newport (“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) Business transactions involving or arising out of dealings with commercial banks and other financial institutions;

(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 either party and with the assent of a Justice assigned to the Business Calendar. The party moving to have the case assigned to the Business Calendar shall schedule, as soon as practicable, a chambers conference with a Justice assigned to said calendar.

IV. In connection with a case presently pending, but not yet assigned to the general civil trial calendar, either party may request assignment to the Business Calendar with the assent of a Justice assigned to the Business Calendar, such assent procured at a chambers conference as previously described.

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(s) assigned to the Calendar are 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(s) assigned to 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(s) assigned to the Business Calendar, any application or motions with respect to matters on the Business Calendar shall be taken up with any other Justice assigned to the Business Calendar.

VIII. The Presiding Justice shall assign an Associate Justice or Justices as deemed necessary to the Business Calendar.

IX. Administrative Order 2001-09 is hereby rescinded and replaced with this Administrative Order.

BY ORDER OF,

**ALICE B. GIBNEY
PRESIDING JUSTICE**

DATED: July 29, 2011