

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

PRESENT: Hon. JACQUELINE W. SILBERMANN
Administrative Judge Justice

PART _____

Guilherme Bandeira De Gusmao
De Mello

INDEX NO. 600043/2006

MOTION DATE _____

MOTION SEQ. NO. _____

MOTION CAL. NO. _____

- v -

Banco Bradesco S.A.

Administrative Order

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 _____

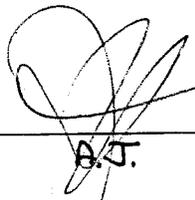
Replying Affidavits _____

Cross-Motion: Yes No

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

Counsel for defendant seeks reassignment of this case to the Commercial Division (Hon. Herman Cahn). Counsel for plaintiff has apparently taken no position on this question, but did purchase a Commercial Division index number and designate the case Commercial on the Request for Judicial Intervention. The case was commenced on Jan. 6, 2006, prior to the effective date of Uniform Rule 202.70. This is a CPLR 3213 matter in which plaintiff seeks to enforce a judgment. Under the *Guidelines for Assignment of Cases to the Commercial Division*, which control, such cases are presumptively considered non-Commercial. However, the judgment that plaintiff seeks to enforce is a foreign country judgment in an enormous sum (over \$ 2 billion). At issue are activities of the largest bank in Brazil. The papers set forth differing interpretations of a complex series of developments in Brazilian litigation, as well as issues of international comity and the public policy of New York. Since this does not appear to be a routine action to enforce a judgment and the motion has not yet been submitted to a General Assignment Justice, the Motion Support Office is directed to reassign this case to Justice Cahn.

Dated: 3/6/06


G.J. J.S.C.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION

Check if appropriate: DO NOT POST REFERENCE

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