

REQUEST FOR JUDICIAL INTERVENTION

UCS-840 (7/2012)

Supreme COURT, COUNTY OF **Albany**

Index No: _____ Date Index Issued: **08/31/2016**

For Court Clerk Use Only:	
IAS Entry Date	
Judge Assigned	
RJI Date	

CAPTION: Enter the complete case caption. Do not use et al or et ano. If more space is required, attach a caption rider sheet.

In the Matter of the Application of
 COMPETITIVE ENTERPRISE INSTITUTE,

 Petitioner,

Plaintiff(s)/Petitioner(s)

-against-

 THE ATTORNEY GENERAL OF NEW YORK,

 Respondent.

 For a Judgment Pursuant to Article 78 of the Civil Practice Law and Rules.

Defendant(s)/Respondent(s)

NATURE OF ACTION OR PROCEEDING: Check ONE box only and specify where indicated.

MATRIMONIAL
 Contested
NOTE: For all Matrimonial actions where the parties have children under the age of 18, complete and attach the **MATRIMONIAL RJI Addendum**. For Uncontested Matrimonial actions, use RJI form UD-13.

TORTS
 Asbestos
 Breast Implant
 Environmental: _____ (specify)

 Medical, Dental, or Podiatric Malpractice
 Motor Vehicle
 Products Liability: _____ (specify)

 Other Negligence: _____ (specify)

 Other Professional Malpractice: _____ (specify)

 Other Tort: _____ (specify)

OTHER MATTERS
 Certificate of Incorporation/Dissolution [see **NOTE** under Commercial]
 Emergency Medical Treatment
 Habeas Corpus
 Local Court Appeal
 Mechanic's Lien
 Name Change
 Pistol Permit Revocation Hearing
 Sale or Finance of Religious/Not-for-Profit Property
 Other: _____ (specify)

COMMERCIAL
 Business Entity (including corporations, partnerships, LLCs, etc.)
 Contract
 Insurance (where insurer is a party, except arbitration)
 UCC (Including sales, negotiable instruments)
 Other Commercial: _____ (specify)

NOTE: For Commercial Division assignment requests [22 NYCRR § 202.70(d)], complete and attach the **COMMERCIAL DIV RJI Addendum**.

REAL PROPERTY: How many properties does the application include? _____
 Condemnation
 Mortgage Foreclosure (specify): Residential Commercial
 Property Address: _____
Street Address City State Zip
NOTE: For Mortgage Foreclosure actions involving a one- to four-family, owner-occupied, residential property, or an owner-occupied condominium, complete and attach the **FORECLOSURE RJI Addendum**.
 Tax Certiorari - Section: _____ Block: _____ Lot: _____
 Tax Foreclosure
 Other Real Property: _____ (specify)

SPECIAL PROCEEDINGS
 CPLR Article 75 (Arbitration) [see **NOTE** under Commercial]
 CPLR Article 78 (Body or Officer)
 Election Law
 MHL Article 9.60 (Kendra's Law)
 MHL Article 10 (Sex Offender Confinement-Initial)
 MHL Article 10 (Sex Offender Confinement-Review)
 MHL Article 81 (Guardianship)
 Other Mental Hygiene: _____ (specify)
 Other Special Proceeding: _____ (specify)

STATUS OF ACTION OR PROCEEDING: Answer YES or NO for EVERY question AND enter additional information where indicated.

	YES	NO	
Has a summons and complaint or summons w/notice been filed?	<input type="radio"/>	<input checked="" type="radio"/>	If yes, date filed: _____
Has a summons and complaint or summons w/notice been served?	<input type="radio"/>	<input checked="" type="radio"/>	If yes, date served: _____
Is this action/proceeding being filed post-judgment?	<input type="radio"/>	<input checked="" type="radio"/>	If yes, judgment date: _____

NATURE OF JUDICIAL INTERVENTION:

Check ONE box only AND enter additional information where indicated.

- Infant's Compromise
- Note of Issue and/or Certificate of Readiness
- Notice of Medical, Dental, or Podiatric Malpractice Date Issue Joined: _____
- Notice of Motion Relief Sought: _____ Return Date: _____
- Notice of Petition Relief Sought: Article 78 (against body or officer) Return Date: 10/07/2016
- Order to Show Cause Relief Sought: _____ Return Date: _____
- Other Ex Parte Application Relief Sought: _____
- Poor Person Application
- Request for Preliminary Conference
- Residential Mortgage Foreclosure Settlement Conference
- Writ of Habeas Corpus
- Other (specify): _____

RELATED CASES:

List any related actions. For Matrimonial actions, include any related criminal and/or Family Court cases. If additional space is required, complete and attach the **RJI Addendum**. If none, leave blank.

Case Title	Index/Case No.	Court	Judge (if assigned)	Relationship to Instant Case

PARTIES:

For parties without an attorney, check "Un-Rep" box AND enter party address, phone number and e-mail address in space provided. If additional space is required, complete and attach the **RJI Addendum**.

Un-Rep	Parties:	Attorneys and/or Unrepresented Litigants:	Issue Joined (Y/N):	Insurance Carrier(s):
<input type="checkbox"/>	Competitive Enterprise Institute Last Name First Name Primary Role: Petitioner Secondary Role (if any):	Bailen Last Name Mark First Name Baker & Hostetler, LLP Firm Name 1050 Connecticut Avenue, NW Street Address Washington City District of Colu20036-6304 State Zip +1 (202) 861-1500 Phone +1 (202) 861-1783 Fax mballen@bakerlaw.com e-mail	<input type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Competitive Enterprise Institute Last Name First Name Primary Role: Petitioner Secondary Role (if any):	Schutte Last Name Elizabeth First Name Baker & Hostetler, LLP Firm Name 45 Rockefeller Plaza Street Address New York City New York State 10111-0100 Zip +1 (212) 589-4200 Phone +1 (212) 589-4201 Fax eschutte@bakerlaw.com e-mail	<input type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	The Attorney General of New York Last Name First Name Primary Role: Respondent Secondary Role (if any):	Office of the New York Attorney General Firm Name The Capitol, Albany Office Street Address The Capitol Albany City New York State 12224-0341 Zip Phone Fax e-mail	<input type="radio"/> YES <input checked="" type="radio"/> NO	
<input type="checkbox"/>	Last Name First Name Primary Role: Secondary Role (if any):	Last Name First Name Firm Name Street Address City State Zip Phone Fax e-mail	<input type="radio"/> YES <input type="radio"/> NO	

I AFFIRM UNDER THE PENALTY OF PERJURY THAT, TO MY KNOWLEDGE, OTHER THAN AS NOTED ABOVE, THERE ARE AND HAVE BEEN NO RELATED ACTIONS OR PROCEEDINGS, NOR HAS A REQUEST FOR JUDICIAL INTERVENTION PREVIOUSLY BEEN FILED IN THIS ACTION OR PROCEEDING.

Dated: 08/31/2016

4865119

ATTORNEY REGISTRATION NUMBER

SIGNATURE

Elizabeth M. Schutte

PRINT OR TYPE NAME

Print Form