

**IN THE THIRTEENTH JUDICIAL CIRCUIT
HILLSBOROUGH COUNTY, FLORIDA**

**ADMINISTRATIVE ORDER S-2013-021
(Supersedes Administrative Order S-2008-105)**

BUSINESS COURT

A Complex Business Litigation Division became operational in January 2007 to assist the bench and bar in the handling of complex business cases. Since its creation, the court has studied and considered the nature and volume of complex business litigation cases filed in this division. As a result, it is necessary for the proper and efficient administration of these cases to modify some of the procedures for the composition and assignment of cases to this specialized division.

By the power vested in the chief judge under article V, section 2(d), Florida Constitution; section 43.26, Florida Statutes; and Florida Rule of Judicial Administration 2.215(b)(2), it is therefore **ORDERED**:

1. Division “L”

General Civil Division “L” will continue as the specialized Business Court subdivision to hear cases in accordance with this administrative order.

2. Mandatory Cases

All of the following types of actions will be assigned to Business Court:

A. Internal affairs or governance; dissolution or liquidation rights; obligations between or among owners (shareholders, partners, members); or liability or indemnity of managers (officers, directors, managers, trustees, or members or partners functioning as managers) of corporations, partnerships, limited partnerships, limited liability companies or partnerships;

B. Trade secrets and non-compete agreements;

C. Intellectual property;

D. Securities or state securities laws;

E. Antitrust statutes;

F. Shareholder derivative actions and related class actions;

- G. Corporate trust affairs or director and officer liability;
- H. Non-consumer UCC-related transactions;
- I. Purchases and sales of businesses or the assets of a business;
and
- J. Franchisee / franchisor relationships and liabilities.

3. Civil Cover Sheet & Addendum

The Civil Cover Sheet (Form 1.997 of the Florida Rules of Civil Procedures) will include an additional box for a party or attorney to indicate whether the action is appropriate for assignment to the Business Court division. If it is, the party or attorney must file an *Addendum to Civil Cover Sheet* to indicate the specific case category type. The Civil Cover Sheet and Addendum can be found at www.fljud13.org. A copy of the Civil Cover Sheet and Addendum must be served on all parties with the original process.

4. Discretionary Case Transfers

In addition to the mandatory cases filed in Division “L” under section 2 of this administrative order, a “complex business case” may be referred by any General Civil Division judge to the presiding judge of Division “L” for consideration of transferring the case to Division “L.” A “complex business case” is defined as a case involving complex legal and case management issues requiring extensive judicial management in order to expedite the case, to promote effective decision making by the court, counsel and parties, and to keep costs reasonable.

In determining whether an eligible action qualifies as a complex business case, the presiding judge of Division “L” should consider whether the matter will likely involve:

- A. Numerous pretrial motions raising difficult or novel legal issues, or legal issues inextricably intertwined and time consuming;
- B. Management of large numbers of separately represented parties on main actions, cross claims, counterclaims and third party claims;
- C. Management of large amounts of documents, both paper and electronic, during the pendency of the matter and at trial;

- D. Management of large numbers of expert witnesses;
- E. Multiple claims resulting in consolidation of numerous individual motions;
- F. Potential of significant impact on the parties' business, whether from a monetary or corporate governance standpoint; and
- G. A high degree of case management, including the handling of discovery disputes and motion practice, in which the services of a special or general magistrate would be beneficial.

The presiding judge of Division "L" may consult with the General Civil Division administrative judge in making a determination as to whether an action meets enough of the foregoing "complex business case" factors to warrant the case being transferred to the Business Court division. A case may be transferred from a General Civil Division to the Business Court division only by an Order of Transfer issued by the presiding judge of Division "L."

5. Caseload Limit

The administrative judge, in consultation with the presiding judge of Division "L," is empowered with discretion to temporarily suspend the transfer of any complex business case to Division "L." The decision to temporarily suspend transfers of complex business cases to Division "L" is within the discretion of the administrative judge and will be based on the number and complexity of complex business cases pending in Division "L." The administrative judge will notify the General Civil Division judges and the chief judge whenever the administrative judge imposes a temporary suspension of transfers and whenever the administrative judge lifts any suspension.

6. Case Management Procedures

The presiding judge in Division "L" may establish specific case management procedures for the Business Court division.

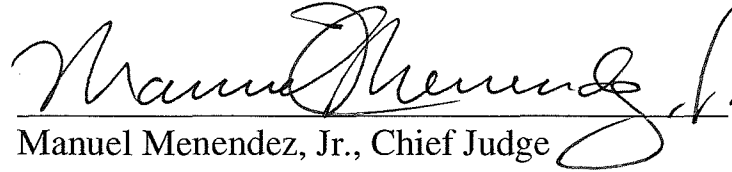
7. Previous Administrative Order Superseded

This administrative order supersedes Administrative Order S-2008-105 (*Complex Business Litigation Division*).

8. Effective Date

This administrative order is effective April 22, 2013.

It is ORDERED in Tampa, Hillsborough County, Florida on this 18th day of April, 2013.


Manuel Menendez, Jr., Chief Judge

Original to: Pat Frank, Clerk of the Circuit Court
Copies to: All General Civil Division Judges