

**IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE
20TH JUDICIAL DISTRICT, DAVIDSON COUNTY**

PART III – BUSINESS COURT PILOT PROJECT

IN RE: REQUEST FOR DESIGNATION)
TO THE BUSINESS COURT IN)
[INSERT STYLE OF CASE INCLUDING)
NAMES OF PARTIES, CASE NUMBER,)
AND COUNTY WHERE FILED] _____)

REQUEST FOR DESIGNATION TO THE BUSINESS COURT

Counsel and self-represented parties (hereinafter referred to collectively as “Counsel”) request that the above referenced Case filed on **[INSERT DATE]** in **[INSERT COUNTY WHERE LAWSUIT ORIGINATED]** be transferred by the Chief Justice of the Tennessee Supreme Court to the Business Court located in the Twentieth Judicial District, Davidson County, Tennessee.

Counsel agree and consent to waive venue in the above referenced case.

Counsel, in good faith and based on information reasonably available, have completed and filed herewith the attached checklist certifying that the Case meets the eligibility criteria set forth in the Tennessee Supreme Court *Order Establishing the Davidson County Business Court Pilot Project*.

Please check that a copy of the Complaint in the above referenced case is attached.

Signature of Counsel for Plaintiff(s)

E-Mail of Counsel for Plaintiff(s)

Signature of Counsel for Defendant(s)

E-Mail of Counsel for Defendant(s)

Signature of Counsel for Other Parties

E-Mail of Counsel for Other Parties

FOR BUSINESS COURT JUDGE USE ONLY

I Recommend Decline to Recommend that this Case is eligible for transfer to the Business Court.

Signature of Business Court Judge

Date

REQUEST FOR DESIGNATION TO THE BUSINESS COURT CHECKLIST

In certifying that this case meets the eligibility criteria for transfer to the Business Court, please check below the applicable boxes. To be eligible, the case must fit within items 1 and 2, and one or more subsections of item 3.

- 1. This lawsuit was filed on or after May 1, 2015; and
- 2. Compensatory damages of at least \$50,000 are alleged, or this lawsuit seeks primarily injunctive or declaratory relief; and
- 3. This lawsuit relates to:
 - the internal affairs of businesses (i.e., corporations, limited liability companies, general partnerships, limited liability partnerships, sole proprietorships, professional associations, real estate investment trusts, and joint ventures), including the rights or obligations between or among shareholders, partners, and members, or the liability or indemnity of officers, directors, managers, trustees or partners.
 - involves claims of breach of contract, fraud, misrepresentation, breach of fiduciary duty or statutory violations between businesses arising out of business transactions or relationships.
 - constitutes a shareholder derivative or commercial class action.
 - involves commercial real property disputes other than residential landlord tenant disputes and foreclosures.
 - involves business claims between or among two or more business entities or individuals as to their business or investment activities relating to contracts, transactions, or relationships between or among them.
 - arises from technology licensing agreements, including software and biotechnology licensing agreements, or any agreement involving the licensing of any intellectual property right, including patent rights.
 - constitutes an action alleging violations of a noncompete, non-solicitation, or confidentiality agreement, or an antitrust, trade secret, or securities-related action.
 - involves commercial construction contract disputes and/or construction defect claims.

**Instructions For Transferring Non-Davidson County Cases
To The Business Court**

1. Within 60 days of the date of service on a defendant of a complaint filed in a Tennessee county other than Davidson County, Counsel and self-represented parties (hereinafter referred to collectively as “Counsel”) may complete the form *Request For Designation to the Business Court* (can be downloaded at <http://chanceryclerkandmaster.nashville.gov/>) and send it, along with a copy of the complaint, to the Davidson County Clerk and Master’s Office at 1 Public Square, Suite 308, Nashville, TN 37201. Email addresses of Counsel shall be included. The submission of the *Request* certifies that the case meets the eligibility criteria and that all parties have consented to waive venue.
2. Once received, the Davidson County Clerk and Master’s Office delivers the *Request* and complaint copy to the Judge who fills out the bottom portion of the *Request* and submits it to the Chief Justice of the Tennessee Supreme Court.
3. Upon receiving the *Request*, the Chief Justice issues an Order either transferring or denying transfer of the case to the Business Court.
4. If the Chief Justice grants the *Request*, the Davidson County Clerk and Master’s Office shall open a file for the transferred case, enter the Chief Justice’s Order in the case file, and shall promptly send a copy of the Order to the clerk of the county in which the complaint was originally filed, and to Counsel. In such cases, the litigants shall pay the applicable transfer fee pursuant to Tennessee Code Annotated section 8-21-401. The Judge shall arrange with Counsel for copying of the case file and its filing with the Davidson County Clerk & Master’s Office.
5. If the *Request* is denied, the Chief Justice shall email the Order to Counsel.