

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

PART III – BUSINESS COURT PILOT PROJECT

)	
)	
Plaintiff(s),)	
)	
VS.)	No.
)	
)	
)	
Defendant(s).)	

REQUEST FOR DESIGNATION TO THE BUSINESS COURT

[PARTY], through Counsel or self-represented, requests that the above styled Case filed on [INSERT DATE] in the Chancery Court of Davidson County be transferred by the Chief Justice of the Tennessee Supreme Court to the Business Court.

Counsel or self-represented party, in good faith and based on information reasonably available, has 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*.

Counsel or Self-represented Party

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 Davidson County Chancery Court Cases To The Business Court

1. Within 60 days of the date of service on a defendant of a complaint filed in Davidson County Chancery Court, 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 file it with the Davidson County Clerk and Master’s Office at 1 Public Square, Suite 308, Nashville, TN 37201. The filing of the *Request* certifies that the case meets the eligibility criteria.
2. Once filed, the Davidson County Clerk and Master’s Office delivers the *Request* 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, and transmits the Order for entry by the Davidson County Clerk and Master’s Office and notice to Counsel.
4. If the Chief Justice grants the *Request* and transfers the case to the Business Court, the Davidson County Clerk and Master’s Office designates the case as having been transferred to the Business Court.