

**FRANKLIN COUNTY COURT OF COMMON PLEAS  
COMMERCIAL DOCKET**

	)	
	)	
PLAINTIFF(S)	)	
	)	
	)	
	)	
vs.	)	CASE NO. _____
	)	
	)	
	)	
	)	
DEFENDANT(S).	)	

**CERTIFICATION OF PLAINTIFF(S) COUNSEL  
TO ASSIGN CASE TO COMMERCIAL DOCKET**

Undersigned counsel for Plaintiff(s) certifies that I am reasonably familiar with Temp. Supt. Rules 1.01-1.11. In my professional opinion this case qualifies for the Commercial Docket pursuant to the following provisions of Temp. Sup. R. 1.03 Scope of the Commercial Docket: \_\_\_\_\_

I further certify that I believe none of the exclusions in Rule 1.03(B) preclude hearing this case on the Commercial Docket.

\_\_\_\_\_  
 Printed name \_\_\_\_\_ Bar # \_\_\_\_\_  
 Counsel for Plaintiffs

*Note to Counsel:* The text of Rule 1.03 is on the reverse of this form. You must identify at least one section from Rule 1.03(A) but not more than three. If uncertain whether your case qualifies, your case will be assigned to the regular civil docket initially, and any counsel may later move to transfer to the Commercial Docket.

## **Temp. Sup. R. 1.03. Scope of the Commercial Docket**

### **(A) Cases accepted into the commercial docket**

A commercial docket judge shall accept a civil case, including any jury; non-jury; injunction, including any temporary restraining order; class action; declaratory judgment; or derivative action, into the commercial docket of the pilot project court if the case is within the statutory jurisdiction of the court and the gravamen of the case relates to any of the following:

- (1) The formation, governance, dissolution, or liquidation of a business entity, as that term is defined in Temporary Rule 1.01 of the Rules of Superintendence for the Courts of Ohio;
- (2) The rights or obligations between or among the owners, shareholders, partners, or members of a business entity, or rights and obligations between or among any of them and the entity;
- (3) Trade secret, non-disclosure, non-compete, or employment agreements involving a business entity and an owner, sole proprietor, shareholder, partner, or member thereof;
- (4) The rights, obligations, liability, or indemnity of an officer, director, manager, trustee, partner, or member of a business entity owed to or from the business entity;
- (5) Disputes 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, including without limitation the following:
  - (a) Transactions governed by the uniform commercial code, except for consumer product liability claims described in division (B)(2) of this rule;
  - (b) The purchase, sale, lease, or license of, or a security interest in, or the infringement or misappropriation of, patents, trademarks, service marks, copyrights, trade secrets, or other intellectual property;
  - (c) The purchase or sale of a business entity or the assets of a business entity;
  - (d) The sale of goods or services by a business entity to a business entity;
  - (e) Non-consumer bank or brokerage accounts, including loan, deposit, cash management, and investment accounts;
  - (f) Surety bonds and suretyship or guarantee obligations of individuals given in connection with business transactions;
  - (g) The purchase, sale, lease, or license of, or a security interest in, commercial property, whether tangible, intangible personal, or real property;
  - (h) Franchise or dealer relationships;
  - (i) Business related torts, such as claims of unfair competition, false advertising, unfair trade practices, fraud, or interference with contractual relations or prospective contractual relations;
  - (j) Cases relating to or arising under state or federal antitrust laws;
  - (k) Cases relating to securities, or relating to or arising under federal or state securities laws;
  - (l) Commercial insurance contracts, including coverage disputes.

### **(B) Cases not accepted into the commercial docket**

A commercial docket judge shall not accept a civil case into the commercial docket of the pilot project court if the gravamen of the case relates to any of the following:

- (1) Personal injury, survivor, or wrongful death matters;
- (2) Consumer claims against business entities or insurers of business entities, including product liability and personal injury cases, and cases arising under federal or state consumer protection laws;
- (3) Matters involving occupational health or safety, wages or hours, workers' compensation, or unemployment compensation;
- (4) Environmental claims, except those arising from a breach of contractual or legal obligations or indemnities between business entities;
- (5) Matters in eminent domain;
- (6) Employment law cases, except those involving owners described in division (A)(3) of this rule;
- (7) Cases in which a labor organization is a party;
- (8) Cases in which a governmental entity is a party;
- (9) Discrimination cases based upon the United States constitution, the Ohio constitution, or the applicable statutes, rules, regulations, or ordinances of the United States, the state, or a political subdivision of the state;
- (10) Administrative agency, tax, zoning, and other appeals;
- (11) Petition actions in the nature of a change of name of an individual, mental health act, guardianship, or government election matters;
- (12) Individual residential real estate disputes, including foreclosure actions, or non-commercial landlord-tenant disputes;
- (13) Any matter subject to the jurisdiction of the domestic relations, juvenile, or probate division of the court;
- (14) Any matter subject to the jurisdiction of a municipal court, county court, mayor's court, small claims division of a municipal court or county court, or any matter required by statute or other law to be heard in some other court or division of a court;
- (15) Any criminal matter, other than criminal contempt in connection with a matter pending on the commercial docket of the court.