

Notice of Business Court Implementation

A Business Court docket will begin in the Oakland County Circuit Court on June 3, 2013. The Supreme Court appointed Judge Wendy Potts and Judge James Alexander to preside over the Business Court. All Business Court cases must be eFiled and will be assigned by blind draw to either Judge Potts or Judge Alexander.

Beginning June 3 and thereafter, the party filing a complaint **must** give written notice with the initial pleading that the case qualifies for the Business Court. Parties are encouraged to attach the *Notice of Assignment to the Business Court* form to the complaint (or responsive pleading if the case qualifies for the Business Court but was not noticed as such in the initial complaint, or if the counterclaim qualifies the case as a Business Court case). The *Notice of Assignment to the Business Court* form may be found at <http://www.oakgov.com/courts/businesscourt/Documents/ocbc01.pdf>.

A case must be assigned to the Business Court if:

1. The amount in controversy is greater than \$25,000, **AND**
2. All or part of the action includes a business or commercial dispute.

A business or commercial dispute is any of the following:

1. An action in which all of the parties are business enterprises.
2. An action in which 1 or more of the parties are business enterprises and the other parties are its or their present or former:
 - a) Owners
 - b) Managers
 - c) Shareholders
 - d) Members
 - e) Directors
 - f) Officers
 - g) Agents
 - h) Employees
 - i) Suppliers
 - j) CompetitorsNOTE: The claim must arise out of any of the above relationships.
3. An action in which 1 of the parties is a nonprofit organization and the claims arise out of that party's organizational structure, governance, or finances.
4. An action involving the sale, merger, purchase, combination, dissolution, liquidation, organizational structure, governance, or finances of a business enterprise.

Please see MCL 600.8031(2) to see the types of actions that business or commercial disputes include, and MCL 600.8031(3) to see the types of actions that business or commercial disputes exclude.

For more information, please see the Business Court page on the Circuit Court's website at <http://www.oakgov.com/courts/businesscourt>.