

SUPREME COURT OF THE STATE OF NEW YORK - NEW YORK COUNTY

PRESENT: Hon. Peter H. Moulton
Administrative Order

41 WEST 124th ST CORP.,

Plaintiff,

vs.

INDEX NO. 650922/15

ANTIOCH CHURCH OF GOD IN CHRIST, INC.,

Defendant.

Administrative Order:

By letter dated December 15, 2015, plaintiff's counsel requests that this action be transferred into the Commercial Division pursuant to the Rules of the Commercial Division, Uniform Rule 202.70 (e). There is no opposition to the request.

Actions in which the principal claims are for breach of contract or business torts, where the breach or violation is alleged to arise out of business dealings, may be heard in the Commercial Division, provided the \$500,000 monetary threshold for New York County is met or equitable or declaratory is sought (Uniform Rule 202.70 [a], [b] [1]). In addition, subdivision (b) (3) provides that transactions in involving commercial real property will be heard in the Commercial Division. The complaint in this action seeks the specific performance of a contract for the sale of a building located at 41 West 124th Street, New York, New York, which is currently being used a church. According to the contract of sale dated January 8, 2013, the building is vacant of any residential tenancies.

Accordingly, the request for a transfer to the Commercial Division is granted. The General Clerk's Office is directed to randomly reassign this case from I.A.S. Part 15 (Rakower, J.) to a Justice of the Commercial Division. (A request for a preliminary conference is currently pending.)

Dated: December 15, 2015

ENTER:  , A.J.

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION