



STATE OF NEW YORK  
**UNIFIED COURT SYSTEM**  
**FIRST JUDICIAL DISTRICT**  
**SUPREME COURT, CIVIL BRANCH**  
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**JONATHAN LIPPMAN**  
Chief Administrative Judge

**JOAN B. CAREY**  
Deputy Chief Administrative Judge  
New York City Courts

**JACQUELINE W. SILBERMANN**  
Administrative Judge  
First Judicial District  
Supreme Court, Civil Branch

## **ADMINISTRATIVE ORDER**

This Administrative Order sets forth the procedures that are being used to reassign existing condemnation cases to the Justices who have, pursuant to Administrative Order dated January 12, 2006, been designated to handle such matters, Honorable Leland DeGrasse (Part 25) and Honorable Walter B. Tolub (Part 15), and the procedures for assignment that will be followed hereafter in this inventory. Any prior orders directing assignment of such matters that are inconsistent herewith are hereby superceded.

In the tax certiorari inventory cases are assigned by block number, with even numbered cases going to Justice DeGrasse and odd-numbered cases going to Justice Tolub, for the reasons set forth in the aforesaid Administrative Order. This procedure will not work for the condemnation inventory. Instead, future cases shall be assigned as follows. Upon the filing of a Request for Judicial Intervention ("RJI") in any condemnation case, the filing party shall designate on the RJI or on a sheet annexed thereto all other pending condemnation cases of which that party is aware that are related, that is, that involve the same construction or redevelopment project, both those as to which an RJI has been filed and those as to which none has yet been filed. The group of related pending (RJI) cases shall be assigned by the earliest index number in the group; cases in which the last digit in the first portion of the number (that is, not considering the indicator for the year) is even-numbered shall be assigned to Justice DeGrasse and those in which the digit is odd-numbered shall be assigned to Justice Tolub. All other related cases shall be assigned to the same Justice.

Notwithstanding the foregoing, the Administrative Judge may modify or override an assignment where administrative necessity so requires. Specifically, the Administrative Judge will endeavor to see to it that the inventory is divided in a manner that is at least roughly equal. For that reason, should cases involving a large project be assigned to one Justice, the Administrative Judge may direct that those subsequently filed involving another large project or a series of cases involving smaller matters be assigned to the other Justice. The Clerk shall note in the Comments section of the Civil Case Information System any instances in which cases are assigned in this way at the direction of the Administrative Judge.

The condemnation inventory pending at this time shall be reassigned as follows to the extent that any matters set forth below are not currently assigned as indicated. All cases involving the New York State UDC 42<sup>nd</sup> Street Development Project shall be assigned to Justice DeGrasse. (Originally, such matters involved the Urban Development Corporation, but later ones may involve the Empire State Development Authority.) Cases involving the MTA East Side Access Project shall be assigned to Justice Tolub. The cases listed hereafter shall be assigned in accordance with the index number procedure described above as follows:

Justice DeGrasse

Index No. 403918/2001 - - City of New York Bradhurst Urban Renewal Area

Index No. 102934/2001 - - Dormitory Authority of the State of New York - John Jay College expansion

Index No. 402676/2001 - - In re City of New York - Milbank-Frawley Circle East Urban Renewal Project, Phase 1

Index No. 401884/2001 - - City of New York - Third Water Tunnel Shaft 28B

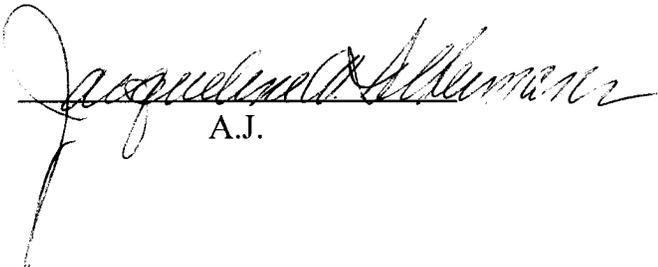
Justice Tolub

Index No. 400421/1999 - - City of New York : Manhattan District 6 Sanitation Garage

Index No. 400261/2004 - - City of New York Manhattan Districts 4, 4A and 7 Sanitation Garages

The Clerk of the Trial Support Office is directed to reassign the pending matters as indicated above. With regard to any condemnation matters in which a Request for Judicial Intervention is hereafter filed, the filing attorney shall attach thereto a copy of this Administrative Order and the Clerk of the relevant back office shall assign the case in accordance with the procedures set forth above.

Dated: New York, New York  
May 12, 2006

  
A.J.