

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

**PRESENT: Hon. Peter H. Moulton
Administrative Order**

**HAYS MEDIA RESOURCES, LLC, INDIVIDUALLY
AND AS A MEMBER OF SUPER FINE-1, LLC
SUING ON BEHALF OF ITSELF AND ALL OTHER
MEMBERS OF SUPER FINE-1, LLC SIMILARLY
SITUATED AND IN THE RIGHT OF SUPER FINE-1,
LLC, and JUSTIN GREEN,**

Plaintiffs,

vs.

INDEX NO. 653599/15

**SUPER FINE-1, LLC, STEVEN MILLER, JADE
SCHOONERMAN, "JOHN DOES 1-10," and "JANE
DOES 1-10,"**

Defendants.

Administrative Order:

By letter dated November 18, 2015, plaintiffs' counsel requests that this action be transferred into the Commercial Division pursuant to the Rules of the Commercial Division, Uniform Rule 202.70 (e). To date, no opposition has been received.

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]). Further, actions seeking the "dissolution of corporations, partnerships, limited liability companies, limited liability partnerships, and joint ventures" will be heard in the Commercial Division "without consideration of the monetary threshold" (Uniform Rule 202.70 [b] [11]). In this action, plaintiffs seek \$4 million in damages for breach of contract and breach of fiduciary duty. In addition, plaintiffs seek an accounting as well as the judicial dissolution of Super Fine-1, LLC. Thus, this action meets the standards for assignment to the Commercial Division.

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 Part 55 (Kern, J.) to a Justice of the Commercial Division. (A motion by defendant Steven Miller to compel arbitration and for a stay pending arbitration is returnable on December 11, 2015 and a separate Order to Show Cause to extend this defendant's time to answer the complaint was filed on November 19, 2015.)

Dated: November 24, 2015

ENTER: , A.J.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION