

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

PRESENT: Hon. Skerry Klein Heitler
Administrative Order

PRADA USA CORP.,

Plaintiff,

- v -

INDEX NO. 652096/12

MAXMARA RETAIL, LTD.,

Defendant.

Administrative Order:

By letter dated January 31, 2013, counsel for plaintiff, pursuant to Uniform Rule 202.70 (f) (1), seeks review of the order of Justice Melvin Schweitzer dated January 17, 2013, transferring this action to a non-commercial part on the ground that it does not satisfy the minimum threshold amount of damages. The case is presently assigned to I.A.S. Part 13 (Mendez, J.). The Court has not received opposition to this request.

Uniform Rule 202.70 (a) provides that the monetary threshold for assignment of a commercial case to Commercial Division of New York County is \$150,000. Whether this threshold is met should be based on the allegations of the pleadings. In this case, the complaint alleges that the defendant's alleged breach of a contractual commitment to assign a valuable lease for retail commercial property caused it to lose millions of dollars.

Accordingly, the Motion Support Office is directed to reassign this case back to the Commercial Division.

Dated: February 13 2013

ENTER:  _____, A.J.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION