

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

PRESENT: Hon. Peter H. Moulton  
Administrative Order

---

E.W. HOWELL CO, LLC and HOWARD L. ROWLAND,

Plaintiffs,

vs.

INDEX NO. 653551/15

THE CITY UNIVERSITY CONSTRUCTION FUND, et al.,

Defendants.

---

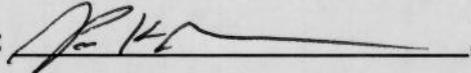
Administrative Order:

By letter dated December 14, 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]). The complaint in this action seeks a declaration that a multi-million dollar public works contract and commercial subcontract are null and void, as well as monetary damages for breach of the commercial subcontract.

Accordingly, the request for a transfer to the Commercial Division is granted. The General Clerk's Office is directed to randomly reassign this case to a Justice of the Commercial Division. (There is motion to dismiss returnable on January 8, 2016.)

Dated: December 17, 2015

ENTER:  , A.J.

Check one:  FINAL DISPOSITION  NON-FINAL DISPOSITION