

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

PRESENT: Hon. Peter H. Moulton  
Administrative Order

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HARBHAJAN MULTANI,

Plaintiff,

- v -

INDEX NO. 650890/16

WALTER KARWAN, JULIUS FAHAM,  
ALAN JEMAL, AND 961 SOUTHERN  
BOULEVARD PARTNERS LLC, and  
T-MOBILE US, INC.,

Defendants.

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Administrative Order:

By letter dated July 5, 2016, counsel for newly-added defendant, T-Mobile US, Inc. (T-Mobile), timely requests reassignment of this action from I.A.S. Part 63 (Coin, J.) to the Commercial Division. No opposition to the request has been received.

The amended complaint asserts claims of breach of contract, unjust enrichment, breach of the covenant of good faith and fair dealing, and intentional interference with contractual relationship arising from the plaintiff's lease of commercial space located at 961-969 Southern Boulevard, Bronx, New York, and seeks damages of not less than \$5 million. While there is no doubt that the case falls within the guidelines for assignment to the Commercial Division pursuant to Uniform Rule 202.70 (b) (1) and (3), given the allegations of the amended complaint, there is some question as to whether this action truly meets the monetary threshold of \$500,000 for New York County.

The request for a transfer to the Commercial Division is granted, without prejudice to the right of the assigned Commercial Division Justice to transfer the case back to I.A.S. Part 63 pursuant to Uniform Rule 202.70 (f) (1) if, in his or her discretion, the case does not satisfy the \$500,000 monetary threshold.

Accordingly, the General Clerk's Office is directed to randomly reassign this case from I.A.S. Part 63 to the Commercial Division and to reschedule the preliminary conference currently scheduled in Part 63 on August 10, 2016.

Dated: July 18, 2016

ENTER: HON. PETER H. MOULTON  
J.S.C.

Check one:  FINAL DISPOSITION  NON-FINAL DISPOSITION