

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

SUIFENHE YONGTAI ECONOMIC AND TRADE
CO., LTD.,

Plaintiff,

- v -

INDEX NO. 600677/10

UNICOS ENTERPRISE, INC., et al.,

Defendants.

Administrative Order:

By letter dated July 19, 2012, counsel for plaintiff requests that this action be assigned to the Commercial Division. No opposition has been received to date.

Plaintiff filed a Request for Judicial Intervention (RJI) on October 25, 2011. As plaintiff's counsel filed the RJI, he cannot request a transfer, because the right to appeal an RJI designation is limited to "any other party." See Uniform Rule 202.70 (e). Further, Uniform Rule 202.70 (e) places a 10-day time limit on these applications, measured from the receipt of a copy of the RJI, and the time limit is strictly construed.

However, even if the request was timely, the monetary threshold for the Commercial Division, New York County is \$150,000 (see Uniform Rule 202.70 [a]), and the complaint seeks a judgment of \$144,539.35.

Therefore, the request to transfer this action into the Commercial Division is denied.

Dated: July 25 2012

ENTER: , A.J.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION