

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

BARBARA CHELL, MARTIN CHELL, KIMBERLY
MASKA, ROBERT SYPHER, and REGINA SYPHER,

Plaintiffs,

- v -

INDEX NO. 601158/2010

R&G BRENNER TAX CENTERS, INC., d/b/a
R&G BRENNER INCOME TAX CONSULTANTS,

Defendant.

Administrative Order:

By letter dated February 14, 2011, plaintiffs timely request that this action be assigned to the Commercial Division pursuant to Uniform Rule 202.70. No opposition has been received to date.

The matter falls clearly within the standards for assignment of cases to the Commercial Division in New York County. Uniform Rule 202.70 (b) (8) provides that cases involving malpractice by accountants will be assigned to the Commercial Division provided the \$150,000 monetary threshold for New York County is met. Here, plaintiffs seek over \$1.2 million in damages resulting from the defendant's alleged accounting malpractice.

Accordingly, plaintiffs' request is granted. The Trial Support Office is directed to reassign this case at random from I.A.S. Part 61 (Singh, J.) to a Justice of the Commercial Division. (A request for a preliminary conference has been filed, but no initial conference date has been set as of today's date.)

Dated: February 23, 2011

ENTER: , A.J.

HON. SHERRY KLEIN HEITLER
ADMINISTRATIVE JUDGE

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION