

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

ELMEP COMPANY I, LLC,
as Sellers' Representative,

Plaintiff,

- v -

INDEX NO. 650946/12

LADEEPHARMA USA CORP.,
a Delaware Corporation,

Defendant.

Administrative Order:

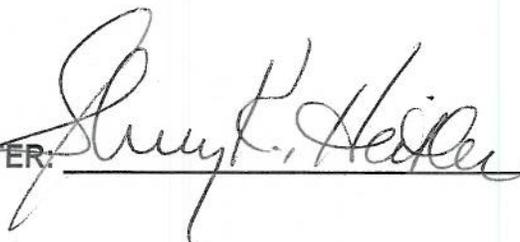
By letter dated May 16, 2012, counsel for plaintiff requests that this action be transferred into the Commercial Division pursuant to Uniform Rule 202.70 (e). To date, no opposition has been received.

Uniform Rule 202.70 (b) (1) provides that actions in which the principal claims are for "[b]reach of contract or fiduciary duty, fraud, misrepresentation, business tort (e.g., unfair competition), or statutory and/or common law violation where the breach or violation is alleged to arise out of business dealings . . ." should be heard in the Commercial Division, provided the \$150,000 monetary threshold for New York County is met or equitable or declaratory relief is sought.

This case meets the standards for assignment to the Commercial Division. The complaint in this action asserts claims against defendant for breach of a Stock Purchase Agreement. The complaint seeks damages of approximately \$1.8 million.

Accordingly, the request for a transfer to the Commercial Division is granted. The Motion Support Office is directed to randomly reassign this case from I.A.S. Part 61 (Singh, J.) to the Commercial Division. (A motion to dismiss is currently returnable in the E-File Motion Submissions Part on June 18, 2012.)

Dated: May 18, 2012

ENTER: 

, A.J.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION