

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

TIBET HOUSE U.S., Inc.,

Plaintiff,

- v -

INDEX NO. 651950/12

NICHOLAS DOUGLAS and TSERING HAYES,

Defendants.

Administrative Order:

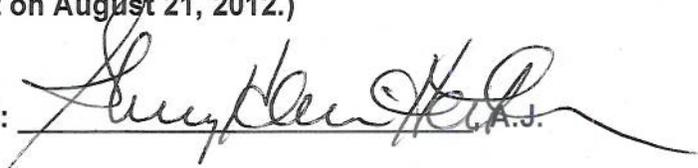
By letter dated August 6, 2012, counsel for the plaintiff timely requests a transfer of this action from I.A.S. Part 44 (Tingling, J.) to the Commercial Division pursuant to Uniform Rule 202.70. To date, no opposition has been received.

This action arises from the alleged breach of an agreement between plaintiff and defendant Nicholas Douglas, whereby Douglas agreed to pay plaintiff a commission for selling art work exhibited at plaintiff's place of business. Plaintiff alleges that defendant Tsering Hayes induced Douglas to breach the contract and pay her the commission instead of plaintiff. Plaintiff seeks \$750,000 in damages.

Uniform Rule 202.70 (b) (1) provides that actions in which the principal claims are for "breach of contract or fiduciary duty, fraud, misrepresentation, business tort . . . where the breach or violation is alleged to arise out of business dealings (e.g., . . . trade secrets, restrictive covenants; and employment agreements not including claims that principally involve alleged discriminatory practices)" will 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 matter fits this standard.

The Motion Support Office is directed to randomly reassign this case from I.A.S. Part 44 to a Justice of the Commercial Division. (A motion to dismiss is currently returnable in the E-filing Submission Part on August 21, 2012.)

Dated: August 9, 2012

ENTER:  A.J.

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION