

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

PRESENT: Hon. George J. Silver, Acting Administrative Judge  
Administrative Order

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SAFARI RESTAURANT NYC, LLC,

Plaintiffs,

- v -

INDEX NO. 656854/2017

THOR 215 WEST 116TH STREET LLC,

Defendant.

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Administrative Order:

By letter dated November 14, 2017, counsel for defendant, writing on behalf of both parties, seeks review of the order of the Hon. Charles Ramos, dated November 13, 2017, transferring this action to a non-commercial part. By virtue of this order, the case is now assigned to the Hon. Robert Reed (Part 43).

I have reviewed the complaint, the affidavit of Maymuuna Birjeeb sworn to on November 10, 2017, the Request for Judicial Intervention and the Commercial Division Addendum. In my view, Justice Ramos properly exercised his discretion to transfer this action out of the Commercial Division pursuant to Commercial Division Rule 202.70 (f) (1) on the ground that, despite the plaintiff's request for a Yellowstone Injunction, this case is, in essence, a dispute about unpaid rent in an amount well below the monetary threshold of New York County's Commercial Division.

Accordingly, the request to transfer this action back to the Commercial Division is denied.

Dated: November 16, 2017

ENTER: George J. Silver, A.J.

Check one:  FINAL DISPOSITION

NON-FINAL DISPOSITION