

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

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

---

TELESAT NETWORK SERVICES, INC.,

Plaintiff,

vs.

INDEX NO. 655435/2017

DATA TECHNOLOGY SOLUTIONS, LLC,

Defendant,

and

TOM EATON,

Additional Counterclaim Defendant.

---

Administrative Order:

By letter dated December 19, 2017, counsel for plaintiff Telesat Network Services, Inc. (Telesat) and additional counterclaim defendant Tom Eaton requests that this action be assigned to the Commercial Division pursuant to Commercial Division Rule 202.70 (e). I am advised that counsel for defendant Data Technology Solutions, LLC (DTS) has no opposition to the request.

Actions in which the principal claims are for breach of contract or business torts, where the breach or violation is alleged to arise out of business dealings, may be heard in the Commercial Division, provided the \$500,000 monetary threshold for New York County is met or equitable or declaratory relief is sought (Commercial Division Rule 202.70 [a], [b] [1]). This case falls squarely within this provision insofar as the complaint alleges the breach of contracts concerning the sale of satellite communications capacity to DTS, a company in the business of re-selling such capacity to oilfield service companies. Telesat seeks damages in excess of \$2.8 million, while DTS asserts counterclaims against Telecom for tortious interference with contract and seeks \$10 million in damages. Good cause to excuse the delay in seeking assignment to the Commercial Division has been demonstrated.

The request for assignment to the Commercial Division is granted. The General Clerk's Office is directed to reassign this case from I.A.S. Part 43 (Reed, J.) to a Justice of the Commercial Division. (A motion to dismiss the counterclaims and other relief is currently returnable in the Motion Submissions Part on January 5, 2018.)

Dated: December 21, 2017

ENTER: George J. Silver, A.J.

GEORGE J. SILVER

Check one:  FINAL DISPOSITION

NON-FINAL DISPOSITION