

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

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

SONIA M. TOLEDO,

Plaintiff,

- v -

INDEX NO. 653234/2017

NISHA SABHARWAL, MOHIT SABHARWAL,
PADMA DEOGUN, VASTRA INC., PEACOCK
THRONE LLC, OM VASTRA LLC and
OM VASTRA MIAMI LLC,

Defendants.

Administrative Order:

By letter dated August 24, 2017, plaintiff's counsel timely requests assignment of this case to the Commercial Division pursuant to Commercial Division Rule 202.70 (e). By a letter of the same date, defendants' counsel opposes the request

The complaint in this action alleges that the individual defendants befriended and attempted to ingratiate themselves with the plaintiff in connection with an alleged scheme to defraud the plaintiff into buying over \$1 million of Indian knock off jewelry and by stealing valuable gems from plaintiff's own jewelry over the course of several years. Although the complaint alleges claims of fraud and conversion, the claims do not arise out of business dealings warranting a transfer into the Commercial Division pursuant to Commercial Division Rule 202.70 (b) (1) (see Shelly Rubin v Nisha Sabharwal, et al., Index no. 650839/2017, Admin. Order dated April 25, 2017) .

For this reason, the plaintiff's request for assignment to the Commercial Division is denied.

Dated: September 13, 2017

ENTER: George J. Silver, A.J.

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION