

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

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

BOARD OF MANAGERS OF THE 650 SIXTH
AVENUE CONDOMINIUM,

Plaintiff,

- v -

INDEX NO. 153801/2016

K-W 650 ASSOCIATES LLC, et al.,

Defendants.

Administrative Order:

By letter dated May 25, 2017, counsel for defendants Goldstein Associates Consulting Engineers, PLLC and GACE Consulting Engineers, D.P.C. (collectively, GACE) timely requests assignment of this action to the Commercial Division pursuant to Commercial Division Rule 202.70 (e). No opposition to the request has been received.

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]). The case arises from the conversion of a land-marked commercial building located in Chelsea into a mixed use condominium. The complaint alleges claims against GACE for breach of a contract and engineering malpractice for allegedly failing to properly anchor the ceilings in a majority of the building's 67 residential units to the structural ceiling slab. Plaintiff alleges damages in excess of \$2.1 million.

The request is granted. The General Clerk's Office is directed to randomly re-assign this case from I.A.S. Part 37 (Engoron, J.) to a Justice of the Commercial Division. (A motion to dismiss the complaint is presently returnable in the Motion Submissions Part on June 21, 2017.)

Dated: June 8, 2017

ENTER: 

A.J.

HON. GEORGE J. SILVER

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION