

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

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

---

CM COLLECTIONS, INC.,

Plaintiff,

vs.

INDEX NO. 651563/2016

ASL HOLDINGS LLC, ASL OPERATIONS LLC,  
TAHARI A.S.L. LLC, ELIE TAHARI,  
ARTHUR S. LEVINE and LES SCHREIBER,

Defendants.

---

Administrative Order:

By letter dated May 24, 2017, counsel for defendants Tahari A.S.L. LLC, Elie Tahari, Arthur S. Levine and Les Schreiber (the ASL Defendants) requests that this action be transferred into the Commercial Division pursuant to Commercial Division Rule 202.70 (e). No opposition to the request has been received.

This action qualifies for assignment to the Commercial Division pursuant to Commercial Division Rule 202.70 [a], [b] [1]). Plaintiff seeks \$6 million in damages and asserts claims for failure to disclose in connection with a trademark license agreement and for breach of a trademark purchase agreement. Good cause to excuse the 90-day time requirement for seeking assignment to the Commercial Division (see Commercial Division Rule 202.70 [d]) has been demonstrated by the ASL Defendants, as they were not brought into the case until recently.

Accordingly, the ASL Defendants' request for a transfer to the Commercial Division is granted. The General Clerk's Office is directed to assign this case from I.A.S. Part 42 (Bannon, J.) to Commercial Division Part 39 (Scarpulla, J.) as related to CM Collections, Inc. v CM Brand Holdings LLC, et al., Index No. 651018/2015. (A motion to dismiss the amended complaint is currently returnable in the Motion Submissions Part on June 20, 2017.)

Dated: May 31, 2017

ENTER: George J. Silver, A.J.

Check one:  FINAL DISPOSITION

NON-FINAL DISPOSITION VER