

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

PRESENT: Hon. Peter H. Moulton  
Administrative Order

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CENTURY 24<sup>TH</sup> STREET PRIME PARTNERS LLC,

Plaintiff,

- v -

INDEX NO. 850190/2016

PRIME HOTEL MANAGEMENT LLC,  
HAG GYUN LEE, EBEN ASCEL CORP.,  
NEW YORK STATE DEPARTMENT OF TAXATION  
AND FINANCE, NEW YORK CITY DEPARTMENT  
OF FINANCE, SPRING SCAFFOLDING LLC,  
and JOHN DOE "1" THROUGH JOHN DOE "10",

Defendants.

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Administrative Order:

By letters dated April 4 and 11, 2017, plaintiff's counsel applies for a transfer of this action to the Commercial Division pursuant to Commercial Division Rule 202.70. Counsel for defendants Prime Hotel Management LLC, Hag Gyun Lee and Eben Ascel Corp. joins in the request. The remaining defendants have not appeared.

In this action, plaintiff seeks to foreclose on a \$7,300,000 mortgage of commercial property. Commercial Division Rule 202.70 (b) (3) provides that actions involving commercial real property, not involving the payment of rent, will be heard in the Commercial Division provided the \$500,000 monetary threshold for New York County is met or the action seeks declaratory or equitable relief. Thus, this action satisfies the criteria for assignment to the Commercial Division. The delay in filing the Commercial Division Addendum is excused.

The General Clerk's Office is directed to reassign this case at random to a Justice of the Commercial Division. There is presently a motion for summary judgment returnable in I.A.S. Part 32 (Bluth, J.) on May 2, 2017. Counsel for the plaintiff is directed to serve a copy of this Administrative Order on the Clerk of Part 32 in order to facilitate a transfer of the motion papers to the newly-assigned Commercial Division Justice.

Dated: April 18, 2017

ENTER:  , A.J.

HON. PETER H. MOULTON

Check one:  FINAL DISPOSITION

NON-FINAL DISPOSITION