

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

PRESENT: Hon. Peter H. Moulton  
Administrative Order

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EEC GROUP TECH INC.,

Plaintiff,

- v -

INDEX NO. 656438/2016

NEW YORK CITY HOUSING AUTHORITY,

Defendant.

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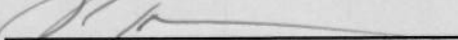
Administrative Order:

By letter dated March 23, 2017, counsel for plaintiff EEC Group Tech Inc. seeks review of the order of the Hon. Jeffrey K. Oing transferring this action out of the Commercial Division. By virtue of that order, the case is now assigned to the Hon. Jennifer Schecter (I.A.S. Part 57). The court has not received any response to this letter.

In this action, plaintiff seeks damages in excess of \$2 million for various alleged breaches of a construction contract for improvements to a New York City Housing Authority (NYCHA) housing project. On March 10, 2017, Justice Oing ordered the case be reassigned to a non-commercial part on the ground that the defendant is the NYCHA, and the action belongs in a City Part. After discussing the matter with Justice Oing and reviewing the court's online protocols regarding the assignment of cases, we both agree that Justice Oing's order is not consistent with the policy of the Commercial Division of New York County regarding construction contract cases against the City of New York or any of its agencies or departments.

Accordingly, plaintiff's request that this action be reinstated to the Commercial Division is granted. The General Clerk's Office is directed to re-assign this action back to Commercial Division Part 48 (Oing, J.).

Dated: March 30, 2017

ENTER:  , A.J.

HON. PETER H. MOULTON

Check one:  FINAL DISPOSITION

NON-FINAL DISPOSITION

J.S.C.