

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

PRESENT: Hon. Peter H. Moulton
Administrative Order

ROYAL 1 WTC MANAGEMENT LLC,

Plaintiff,

- v -

INDEX NO. 655792/2016

WTC TOWER 1 LLC,

Defendant.

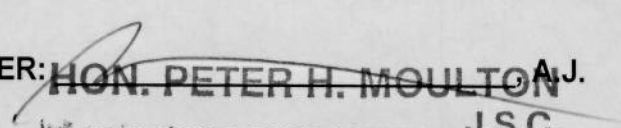
Administrative Order:

By letter dated January 31, 2017, plaintiff's counsel timely requests assignment of this action to the Commercial Division. No opposition to the request has been received.

This action concerns a contractual dispute between the parties regarding a Property Management Agreement, dated as of June 13, 2011, as amended, pursuant to which defendant appointed plaintiff as its exclusive agent to manage 1 World Trade Center a/k/a the Freedom Tower. Specifically, the parties disagree regarding the payment of certain costs and expenses, including overhead costs incurred in connection with on-site engineering, property management and administration personnel. The complaint seeks a declaratory judgment that: (i) defendant is obligated to reimburse plaintiff for overhead costs for the year 2014 in the amount of \$228,935.64; (ii) plaintiff is entitled to retain overhead costs paid from 2015 to date; and (iii) plaintiff is entitled to charge overhead costs through the balance of the term of the management agreement. Plaintiff's counsel contends that the claim is in the millions of dollars. This action, therefore, satisfies the standards for assignment to the Commercial Division pursuant to Uniform Rule 202.70 (a) & (b) (1).

The request for a transfer to the Commercial Division is granted, and the General Clerk's Office is directed to transfer this action from I.A.S. Part 59 (James, J.) to a justice of the Commercial Division.

Dated: February 8, 2017

ENTER:  HON. PETER H. MOULTON A.J.

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION J.S.C.