

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

PRESENT: Hon. Peter H. Moulton
Administrative Order

SHELLEY RUBIN,

Plaintiff,

- v -

INDEX NO. 650839/2017

NISHA SABHARWAL; MOHIT SABHARWAL;
VASTRA INC.; OM VASTRA LLC; and
OM VASTRA MIAMI LLC,

Defendants.

Administrative Order:

By letter dated April 21, 2017, plaintiff's counsel timely requests assignment of this case to the Commercial Division pursuant to Commercial Division Rule 202.70 (e). To date, no opposition has been received.

The complaint in this action alleges that the individual defendants befriended and attempted to ingratiate themselves with the plaintiff in connection with an alleged scheme to defraud the plaintiff into buying over \$18 million of Indian knock off jewelry over the course of five years. Although the complaint alleges claims of breach of contract and fraud, the claims do not arise out of business dealings warranting a transfer into the Commercial Division pursuant to Rule 202.70 (b) (1).

For this reason, the plaintiff's request for assignment to the Commercial Division is denied.

Dated: April 25, 2017

ENTER:  _____, A.J.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION