

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

PRESENT: Hon. Peter H. Moulton
Administrative Order

TALKING CAPITAL LLC, together with its subsidiaries
TALKING CAPITAL PARTNERS II, LLC,
TALKING CAPITAL PARTNERS III, LLC, and
FOREFRONT PARTNERS LLC,

Plaintiffs,

vs.

INDEX NO. 650973/2017

RODNEY OMANOFF, OMANOFF AMERICA
TELECOM, LLC, BRENDAN ROSS, MARK PROTO,
MUDMONTH, LLC, JOSEPH RAHMAN a/k/a
YOUSSEF RAHMAN, CHRISTOPHER LARA,
INTOUCH TELECOM, INC., DLI TC, LLC,
VOIP GUARDIAN PARTNERS I LLC,
VOIP GUARDIAN LLC, DIRECT LENDING
INVESTMENTS LLC, and DIRECT LENDING
INCOME FUND, L.P.,

Defendants.

Administrative Order:

By letter dated April 17, 2017, counsel for defendants Brendan Ross, DLI TC, LLC, Direct Lending Investments LLC, and Direct Lending Income Fund, L.P. timely requests that this action be transferred into the Commercial Division pursuant to Commercial Division Rule 202.70 (e). Plaintiffs' counsel does not oppose the request.

Actions in which the principal claims are for breach of contract or business torts, where the breach or violation is alleged to arise out of business dealings, may be heard in the Commercial Division, provided the \$500,000 monetary threshold for New York County is met or equitable or declaratory relief is sought (Commercial Division Rule 202.70 [a], [b] [1]). The complaint in this action alleges claims for breach of contract and other business torts regarding the formation and management of a specialty finance company in the telecom industry. Damages of at least \$25 million are sought.

Accordingly, the request for a transfer to the Commercial Division is granted. The General Clerk's Office is directed to randomly reassign this case from I.A.S. Part 15 (Rakower, J.) to a Justice of the Commercial Division and to reschedule the April 25th preliminary conference.

Dated: April 24, 2017

ENTER:  _____, A.J.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION