

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

ONE YORK PROPERTY LLC and BOARD OF
MANAGERS OF THE ONE YORK STREET CONDOMINIUM

Plaintiffs,

- v -

INDEX NO. 652276/14

LEND LEASE (US) CONSTRUCTION LMB INC., f/k/a
BOVIS LEND LEASE LMB, INC., FERGUSON NEUDORF
GLASS INC., ENTERPRISE ARCHITECTURAL SALES, INC.,
and VIRACON, INC.,

Defendants.

Administrative Order:

By letter dated February 17, 2015, counsels for all parties except Enterprise Architectural Sales, Inc., who has not yet entered an appearance, join to request that this action be assigned to the Commercial Division pursuant to Uniform Rule 202.70 (e). A review of the amended complaint reveals that the "principal claim" in this action is for monetary damages occurring as a result of the installation of defective insulating glass units into a residential condominium building's exterior curtain wall facade. Uniform Rule 202.70(c) (3) provides that "residential real estate disputes" will not be heard in the Commercial Division even if the monetary threshold is met.

As this action involves a dispute over a residential condominium project, it does not fall within the guidelines for assignment to the Commercial Division. Accordingly, the action will remain in a non-commercial part (I.A.S. Part 15).

Dated: February 24, 2015

ENTER: , A.J.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION