

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

RANDSTAD US L.P.,

Plaintiff,

vs.

INDEX NO. 154561/14

AMERICAN INTERNATIONAL GROUP, INC. and
AIG ASSURANCE COMPANY f/k/a CHARTIS
INSURANCE,

Defendants,

[and a third-party action]

Administrative Order:

By letter dated February 9, 2015, counsel for defendants/third-party plaintiffs American International Group, Inc. and AIG Assurance Company (collectively, AIG) timely requests that this action be transferred into the Commercial Division pursuant to the Rules of the Commercial Division, Uniform Rule 202.70 (e). No objection to the request has been received.

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 is sought (Uniform Rule 202.70 [a], [b] [1]).

In this action, plaintiff alleges that AIG negligently disbursed funds from an escrow and cash collateral account owned by plaintiff to a third party with no ownership interest in the account. Plaintiff also alleges claims for breach of contract, breach of fiduciary duty and conversion. Since the amount in controversy exceeds \$500,000 and declaratory relief is sought, this action meets the standards for assignment to the Commercial Division under Uniform Rule 202.70 (b) (1).

Accordingly, the request for a transfer to the Commercial Division is granted. The Trial Support Office is directed to randomly reassign this case from Part 55 (Kern, J.) to a Justice of the Commercial Division, and to reschedule the Preliminary Conference, currently scheduled on March 3, 2015 in Part 55.

Dated: February 18, 2015

ENTER: Sherry Klein Heitler, A.J.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION