

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

ETHAN GOLDMAN,

Plaintiff,

- v -

INDEX NO. 652672/2013

JINGLE PUNKS MUSIC LLC; JPM FOUNDER
HOLDINGS LLC; JARED GUTSTADT, in his individual
and professional capacities; and DAN DEMOLE, in
his individual and professional capacities,

Defendants.

Administrative Order:

By letter dated March 12, 2014, defendants' counsel seeks review of an order by the Hon. Jeffrey Oing dated March 10, 2014. The Order transferred this action to a non-commercial part on the ground that it does meet the monetary threshold for the Commercial Division. By letter dated March 17, 2014, plaintiff joins in this request.

While the complaint does not specifically plead an amount of actual damages, plaintiff seeks declaratory relief that he is entitled to a 10% equity interest in defendant Jingle Punks Music LLC and a voting membership in its executive board. Thus, the action qualifies for the Commercial Division (see Uniform Rule 202.70 [b] ["actions...will be heard in the Commercial Division provided that the monetary threshold is met or equitable or declaratory relief is sought"]).

Accordingly, the Motion Support Office is directed to reassign this case back to Justice Oing. (A Motion to Dismiss was fully submitted to I.A.S. Part 61 [Singh, J.] on March 11, 2014.)

Dated: March 19, 2014

ENTER:  , A.J.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION