

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

PRESENT: HON. DEBORAH A. KAPLAN

Administrative Judge

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PATRICK LOUIS, INDIVIDUALLY & DERIVATIVELY AS A
DIRECTOR & 33-1/3 SHAREHOLDER OF INFINITY
RESTAURANT GROUP, INC., A NEW YORK
CORPORATION,

INDEX NO. 100767/2018

Plaintiff,

- v -

JEAN LING CHOU, ESQ. A/K/A JEAN L. CHOU, ESQ.,
JEAN LING CHOU AS SOLE SHAREHOLDER & OFFICER
OF JLC ASSOCIATES

Defendant.
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**ADMINISTRATIVE
ORDER**

By letter dated March 8, 2019, plaintiff Patrick Louis, pro se, requests that this action be reassigned to the Commercial Division pursuant to Uniform Rule 202.70.

As shown by a review of the complaint and the Commercial Division addendum, the underlying action sounds in legal malpractice and sought damages in the amount of \$100,000. The RJL did not list any purported related actions.

The action was initially assigned to the Hon. Barry R. Ostrager. By order dated January 15, 2019, Justice Ostrager dismissed the complaint without prejudice. The order further provided that:

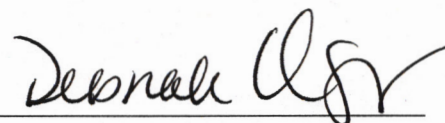
The court has been advised that plaintiff has filed an Amended Complaint. Should the action proceed any further, it should be assigned to an IAS part, as the predominant claim sounds in legal malpractice for damages that do not appear to exceed the Commercial Division threshold. The Clerk is directed to reassign the case to an IAS Part.

Based on the above order, this action was then assigned to the Hon. Nancy M. Bannon.

This letter application by Mr. Louis to the Administrative Judge followed. The court finds no basis to disturb Justice Ostrager's determination that this case does not belong in the Commercial Division. Furthermore, to the extent plaintiff now argues that this action is related to a prior action before Justice Melissa Crane (*Gomes and Infinity v Mafrey Corp.*, Index 653310/2015), plaintiff did not raise this issue in the RJL, and, in any event, that prior case is disposed.

Accordingly, the request to reassign this action to the Commercial Division, or to refer it to the Hon. Melissa Crane, is denied.

DATE: Apr 18, 2019



Hon. Deborah A. Kaplan
Administrative Judge
Supreme Court, New York County
Civil Branch