

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

PRESENT: HON. DEBORAH A. KAPLAN

*Administrative Judge*

NEBO INVESTMENT FUND LP

INDEX NO. 652569/2019

Petitioner,

- v -

JEFFERIES LLC,

Respondent.

**ADMINISTRATIVE  
ORDER**

By letter dated May 13, 2019, Theodore R. Snyder, Esq., counsel for respondent, requests that this proceeding be assigned to the Commercial Division pursuant to Uniform Rule 202.70. Counsel represents that petitioner's counsel does not object to this application.

The underlying arbitration before FINRA concerns petitioner's claims of breach of contract and breach of fiduciary against the respondent brokerage firm in amounts far exceeding \$500,000. The arbitration resulted in an award in respondent's favor. Petitioner commenced the instant proceeding seeking to disaffirm and vacate the arbitration award on May 3, 2019 by filing a notice of petition and petition and an RJI. Petitioner did not file a Commercial Division addendum and consequently the proceeding was assigned to a General Part (Hon. Lynn Kotler).

Uniform Rule 202.70 (b)(12), provides that:

(b) Commercial cases

Actions in which the principal claims involve or consist of the following will be heard in the Commercial Division provided that the monetary threshold is met or equitable or declaratory relief is sought:

\* \* \*

(12) Applications to stay or compel arbitration and affirm or disaffirm arbitration awards and related injunctive relief pursuant to CPLR

Article 75 involving any of the foregoing enumerated commercial issues. . .

Upon review, the court agrees that this action meets the standards for assignment of cases to the Commercial Division (see, Uniform Rule 202.70). Accordingly, the request for assignment to the Commercial Division is granted. The General Clerk's office is directed to transfer this action from IAS Part 8 (Kotler, J) and randomly assign it to a Justice of the Commercial Division.

DATE:

6/6/19



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