

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

PRESENT: HON. JACQUELINE W. SILVERMAN
Administrative Judge Justice

PART

Dennis W. Thies, et al.

INDEX NO. 601036/2005

MOTION DATE

MOTION SEQ. NO.

MOTION CAL. NO.

- v -

Bryan Cave LLP et al.

Administrative Order

The following papers, numbered 1 to were read on this motion to/for

PAPERS NUMBERED

Notice of Motion/ Order to Show Cause — Affidavits — Exhibits ...

Answering Affidavits — Exhibits

Replying Affidavits

Cross-Motion: ☐ Yes ☐ No

~~Upon the foregoing papers, it is ordered that this motion~~

Counsel for defendant has submitted a letter to the undersigned requesting that this matter be reassigned to a non-Commercial Justice because it is a legal malpractice action. The letter advises that the co-defendant agrees with the positions stated in the letter. Counsel for plaintiffs has opposed the request. This matter was assigned to the Commercial Division pursuant to the designation made by the co-defendant on the Request for Judicial Intervention. The case was assigned to Honorable Ira Gammernan, JHO. On the same day defendant submitted its letter it filed with the Commercial Division a statement of lack of consent to the assignment to JHO Gammernan. The case has since been assigned to Honorable Charles E. Ramos.

When a case is first assigned to a Division Justice, that Justice reviews the matter to determine if it belongs in the Division. See *Guidelines for Assignment of Cases to the Commercial Division* Par. C (ii). If a party believes that that assignment is incorrect, any objection should be raised before the assigned Division Justice. The role of the Administrative Judge is to review determinations made by the assigned Justice regarding transfer out of or into the Division. *Id.* Pars. F and G. Accordingly, I will not act on the letter application, but am referring it and the opposition thereto to Justice Ramos.

Dated: 6/24/05

J.S.C.

Check one: ☐ FINAL DISPOSITION ☒ NON-FINAL DISPOSITION

Check if appropriate: ☐ DO NOT POST ☐ REFERENCE

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE
 FOR THE FOLLOWING REASON(S):