

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

PRESENT: Hon. Peter H. Moulton
Administrative Order

DH ENTERPRISE & ASSOCIATES, INC.,

Plaintiff,

- v -

INDEX NO. 655452/2016

ALEXANDER INTERACTIVE, INC.,

Defendant.

Administrative Order:

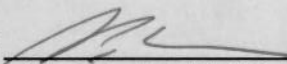
By letter dated October 27, 2016, counsel for defendant timely requests reassignment of this action from I.A.S. Part 55 (Kern, J.) to the Commercial Division. No opposition to the request has been received.

The complaint asserts a single cause of action seeking damages of approximately \$200,000 as result of the defendant's alleged breach of a Master Services Agreement and related Statement of Work to plan, design, develop and implement a website to support plaintiff's travel company. However, counsel for the defendant certified in the Commercial Division Addendum that defendant will be filing a counterclaim for unpaid time and materials in an amount not less than \$500,000. Therefore, the case falls within the guidelines for assignment to the Commercial Division pursuant to Uniform Rule 202.70 (b) (1).

The request for a transfer to the Commercial Division is granted, without prejudice to the right of the assigned Commercial Division Justice to transfer the case back to I.A.S. Part 55 pursuant to Uniform Rule 202.70 (f) (1) if, in his or her discretion, the case does not truly satisfy the \$500,000 monetary threshold.

Accordingly, the General Clerk's Office is directed to randomly reassign this case from I.A.S. Part 55 to the Commercial Division.

Dated: November 9, 2016

ENTER: 

, A.J.

HON. PETER H. MOULTON

Check one: ☐ FINAL DISPOSITION

☐ NON-FINAL DISPOSITION J.S.C.