

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

PRESENT: Hon. Peter H. Moulton
Administrative Order

GORDON SALES, INC.,

Plaintiff,

- v -

INDEX NO. 155184/2015

ATO CONTRACTING CORP., DONALDSON
INTERIORS, INC., LIBERTY MUTUAL INSURANCE
COMPANY, ZURICH AMERICAN INSURANCE
COMPANY and THE INSURANCE COMPANY OF
THE STATE OF PENNSYLVANIA,

Defendants.

Administrative Order:

By letter dated September 22, 2016, counsel for defendants Liberty Mutual Insurance Company, Zurich American Insurance Co. and the Insurance Company of the State of Pennsylvania requests, with the consent of all parties, that this action be transferred to the Commercial Division pursuant to Uniform Rule 202.70 (e).

Although the case meets the standards for assignment to the Commercial Division (see Uniform Rule 202.70 [a], [b] [1]), the request is untimely since the Request For Judicial Intervention was filed back in January 20, 2016 and there is a 10-day time limit on these applications (see Uniform Rule 202.70 [e]). However, the Justice to whom this action was assigned is the Honorable Barry R. Ostrager, and Justice Ostrager was assigned to the Commercial Division in March of this year. I am informed that the parties are merely seeking clarity regarding which court rules apply to this action. For these reasons, the request is granted. The General Clerk's Office is directed to change the computer designation of this action from "Commercial - General" to "Commercial Division."

Dated: September 23, 2016

ENTER:  , A.J.

HON. PETER H. MOULTON
SUPREME COURT JUSTICE

Check one: ☐ FINAL DISPOSITION ☒ NON-FINAL DISPOSITION