

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

PRESENT: Hon. Peter H. Moulton
Administrative Order

UPPER EAST SIDE SUITES LLC, ANCHOR
HOLDINGS LIMITED, FAVORITE LIMITED,
CAP 18 SRL, CARLO OLIVIERI, MAURA
MASOLA, CLAUDIO GATELLI, SGHEDONI,
GRAZIANO, ALBERTO BRENTGANI, ANDIA
SRL, SIRIO SRL, AFIL SRL, MARCO BONESINI,
OILE SRL,

Plaintiffs,

vs.

INDEX NO. 652857/16

BENEDETTO CICO, CARLA CICO and
151 EAST HOUSTON ACQUISITION LLC,

Defendants.

Administrative Order:

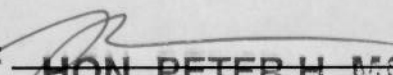
By letter dated July 27, 2016, plaintiffs' counsel timely requests that this action be assigned to the Commercial Division pursuant to the Rules of the Commercial Division, Uniform Rule 202.70 (e). To date, no opposition has been received.

Actions in which the principal claims are for breach of contract or business torts, where the breach or violation is alleged to arise out of business dealings, may be heard in the Commercial Division, provided the \$500,000 monetary threshold for New York County is met or equitable or declaratory is sought (Uniform Rule 202.70 [a], [b] [1]). The complaint in this action asserts claims for, inter alia, breach of contract, breach of fiduciary duty, unjust enrichment, equitable accounting and fraud in connection with the management of a limited liability company and plaintiffs seek damages in excess of \$3.75 million.

Accordingly, the request for a transfer to the Commercial Division is granted. The General Clerk's Office is directed to randomly assign this case to a Justice of the Commercial Division. (A motion to dismiss the complaint is currently returnable on September 21, 2016.)

Dated: August 2, 2016

ENTER:


HON. PETER H. MOULTON

A.J.

Check one: ☐ FINAL DISPOSITION

☐ NON-FINAL DISPOSITION

J.S.C.