

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

PRESENT: Hon. Peter H. Moulton
Administrative Order

HUDSON MERIDIAN CONSTRUCTION GROUP
LLC,

Plaintiff,

- v -

INDEX NO. 653504/2014

ARCH SPECIALTY INSURANCE COMPANY,

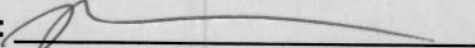
Defendant.

Administrative Order:

By letter dated January 26, 2016, counsel for defendant Arch Specialty Insurance Company (Arch) requests that this action be assigned to the Commercial Division. To date, no opposition has been received.

This action was commenced on November 12, 2014 by the filing of a Summons with Notice. The Complaint was not served until December 31, 2014. On March 30, 2015, Arch sought assignment to the Commercial Division by filing a Request for Judicial Intervention (RJI) and Commercial Division Addendum. On March 31, 2015, this action was assigned by the clerk's office to the Honorable Eileen A. Rakower (General IAS Part 15), presumably because the RJI was not timely filed (see Uniform Rule 202.70 [d]). On November 10, 2015, the parties had a preliminary conference before Justice Rakower. At that time, Arch raised the issue of Commercial Division assignment with the Judge's clerk. Nevertheless, Arch waited until the end of January 2016 to request a transfer. Whether measured from the date the case was assigned to a non-commercial part or even the date of the November 2015 preliminary conference, this application is untimely (see Uniform Rule 202.70 [e]).

Dated: February 1, 2016

ENTER: , A.J.

Check one: ☐ FINAL DISPOSITION ☐ NON-FINAL DISPOSITION