

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

PRESENT: Hon. Peter H. Moulton
Administrative Order

JLJ IV ENTERPRISES, INC.,

Plaintiff,

- v -

INDEX NO. 150420/16

RELATED HUDSON YARDS, LLC, THE RELATED
COMPANIES, INC. and TUTOR PERINI BUILDING
CORP.,

Defendants.

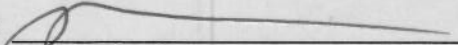
Administrative Order:

By letter dated January 29, 2016, counsel for defendants Related Hudson Yards, LLC and The Related Companies, Inc. (Related) timely requests assignment of this action to the Commercial Division pursuant to Uniform Rule 202.70.

This is a dispute between plaintiff JLJ IV Enterprises, Inc., a public works contractor, hired by the City of New York to install water main connections and box sewers on a portion of 10th Avenue in Manhattan, and Related, the owner/developer of the adjoining Hudson Yards construction project. Also named as a defendant is the general contractor hired by Related for the first phase of the Hudson Yards project. Plaintiff alleges that defendants' tower crane operations, loading dock and other construction work are interfering with and preventing the completion of plaintiff's water main and sewer work for the City. Although the complaint alleges a claim for tortious interference with plaintiff's public works contract, this tort claim does not arise out of business dealings between the parties, and, thus, the action does not meet the standards for assignment to the Commercial Division (see Uniform Rule 202.70 [b] [1]).

For the foregoing reasons, Related's request for assignment to the Commercial Division is denied.

Dated: February 1, 2016

ENTER: 

Check one: ☐ FINAL DISPOSITION

☐ NON-FINAL DISPOSITION