

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

PETER B. DOYLE,

Plaintiff,

- v -

INDEX NO. 156747/14

JORDAN S. JOSEPHSON, MARK A. JOSEPHSON,
JOSEPHSON PARTNERS, LLC, JORDAN
PARTNERS I, L.P., JORDAN CAPITAL I, LLC, and
JORDAN MANAGEMENT I, LLC,

Defendants,

- v -

FRMO CORP., HORIZON ASSET MANAGEMENT LLC,
JAY H. KESSLEN, and JOHN DOES 1-10,

Counterclaim Defendants.

Administrative Order:

By letter dated November 25, 2014, counsel for defendants requests that this action be transferred into the Commercial Division pursuant to Uniform Rule 202.70 (e). By letter dated November 26, 2014, counsel for plaintiff and counterclaim defendants concurs with this request.

In this action, plaintiff alleges claims for breach of contract, fraud, unjust enrichment, breach of implied covenant of good faith and fair dealings, breach of fiduciary duty, and conversion stemming from plaintiff's allegations that defendants have failed to return monies he invested in defendant Jordan Partners I, L.P despite plaintiff's request for full redemption. Plaintiff seeks monetary damages of approximately \$700,000. Since the action meets the standards for assignment to the Commercial Division in this county (see Uniform Rule 202.70 [a], [b] [1]), the request is granted.

The General Clerk's Office is directed to randomly reassign this action from Part 43 (Reed, J.) to a Justice of the Commercial Division. (A motion to dismiss defendants' counterclaims is currently returnable in the E-Filed Submissions Part on December 18, 2014.)

Dated: December 3, 2014

ENTER:  , A.J.