



STATE OF NEW YORK
UNIFIED COURT SYSTEM
FIRST JUDICIAL DISTRICT
SUPREME COURT, CIVIL BRANCH
60 CENTRE STREET
NEW YORK, NEW YORK 10007-1474
1-646-386-3170
FAX 1-212-374-1803

ANN T. PFAU
Chief Administrative Judge

JOAN B. CAREY
Deputy Chief Administrative Judge
New York City Courts

JACQUELINE W. SILBERMANN
Administrative Judge
First Judicial District
Supreme Court, Civil Branch

ADMINISTRATIVE ORDER

I have been informed by the staff of the court that five actions have been instituted in this court arising out of the collapse of a construction crane at a site on East 91st Street in Manhattan that took place on or about May 30, 2008. In four such actions Requests for Judicial Intervention have been filed. These four actions have been assigned to two different Justices. Three of the actions were assigned to Hon. Debra James, Part 59, in apparent error inasmuch as the City of New York is a party to all three of those actions and Part 59 is not a City Part. The five actions are tort actions in which the plaintiffs seek money damages for personal injury or property damage based upon allegations of negligence and other similar theories. A list of these actions is attached.

It would promote efficiency in the handling of the actions in this county, thereby benefitting all parties, minimize the burdens on the Justices of this court, and avoid the possibility of inconsistent rulings if all of these actions, and all such actions of the same type as may hereafter be commenced or which are already pending here but unknown to the staff, were to be assigned to a single Justice of this court. Since the City of New York is a party in all five cases, it is appropriate that they be assigned to a City Part. Furthermore, since it would advance the convenience and efficiency of processing of these cases for all parties and for the court, they should be electronically filed. Accordingly, pursuant to the authority vested in me as Administrative Judge of this court, I hereby direct as follows:

1. Subsequent to the filing of a Request for Judicial Intervention, the actions now pending that are listed on the attached sheet, and any other actions that are currently pending in this court but that are not so listed, or that are hereafter commenced in this court, in which the plaintiff seeks money damages for wrongful death, personal injury or damage to property arising out of the collapse of a construction crane at a site on East 91st in Manhattan that took place on or about May 30, 2008 ("91st Street Actions") shall be assigned to Justice Matthew Cooper, Part 52, the City E-Filing Part, irrespective of whether the City of New York is, hereafter becomes or ceases at any point to be a party to any such case. The Trial Support Office is hereby directed to reassign to Justice Cooper the cases listed on the attached sheet

in which an RJI has been filed and any other such actions as may be pending in this court but which are not listed on the attached sheet. Counsel in the Oddo case shall file an RJI as soon as possible.

2. If an RJI is filed hereafter in a 91st Street Action, the filer shall designate the matter as related to the 91st Street Actions pending before Justice Cooper and shall attach to the RJI a copy of this Order. The clerk of the office in which the RJI is filed shall assign the Action to Justice Cooper.

3. If counsel are aware of any 91st Street Action now assigned to a Justice of this court that is not listed on the attached, counsel shall promptly inform the Clerk of the Trial Support Office.

4. Counsel for the parties in these cases should, at their earliest convenience, contact the Statewide Coordinator for Electronic Filing, Mr. Jeffrey Carucci, or his deputy, Mr. Christopher Gibson, at 646-386-3033 or efile@courts.state.ny.us. The E Filing Resource Center for New York State is located in Room 119 A in our courthouse at 60 Centre Street. Should counsel not already have E-Filing ID's and Passwords, Mr. Carucci, Mr. Gibson or Center staff can assist counsel to obtain them very promptly and can provide any other information needed so that counsel can proceed with electronic filing in these cases with ease and efficiency.

Dated: New York, New York
November 14, 2008


Hon. Jacqueline W. Silbermann
Administrative Judge

Graves v. City of New York, Index No. 110068/2008 (James, J.)

Calabro v. City of New York, Index No. 110069/2008 (James, J.)

Doran v. City of New York, Index No. 110200/2008 (James, J.)

Oddo v. City of New York, Index No. 111626/2008 (Unassigned)

First & 91, LLC v. 1765 First Associates, Index No. 108543/2008 (Smith, J.)