

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

PRESENT: Hon. Sherry Klein Heitler  
Administrative Order

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ICON MW, LLC,

Plaintiff,

vs.

INDEX NO. 650459/13

GEORGE HOFMEISTER,

Defendant.

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Administrative Order:

By letter dated June 17, 2013, counsel for plaintiff timely requests that this action be transferred into the Commercial Division pursuant to the Rules of the Commercial Division, Uniform Rule 202.70 (e). No objection to the request has been received.

Actions in which the principal claims are for breach of contract, where the breach or violation is alleged to arise out of business dealings, may be heard in the Commercial Division, provided the \$150,000 monetary threshold for New York County is met or equitable or declaratory is sought (Uniform Rule 202.70(b)(1)).

In this action, plaintiff sues for breach of a personal guaranty of an equipment lease claiming damages of over \$5 million. There is no question that this action meets the standards for assignment to the Commercial Division under Uniform Rule 202.70 (b) (1). Indeed, defendant's counsel designated the matter as "Commercial-Contract" when he filed the Request for Judicial Intervention on June 14, 2013.

Accordingly, the request for a transfer to the Commercial Division is granted. The Motion Support Office is directed to randomly reassign this case from a general I.A.S. to a Justice of the Commercial Division.

Dated: June 24, 2013

ENTER:  A.J.

Check one:  FINAL DISPOSITION

NON-FINAL DISPOSITION