

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

PHOENIX LIGHT SF LIMITED, et al.,

Plaintiffs,

INDEX NO. 652356/2013

-v-

THE GOLDMAN SACHS GROUP, INC., et al.,

Defendants.

Administrative Order:

By letter dated July 9, 2013, counsel for defendants requests reassignment of this action involving residential mortgage-backed securities to the Hon. Charles E. Ramos (Part 53). By letter dated July 10, 2013, counsel for plaintiffs objects to this request.

The claims asserted in this action were initially commenced in May 2012 and assigned to the Hon. Shirley Kornreich (the May 2012 Action). After a recusal by Justice Kornreich, the May 2012 Action was assigned to Justice Ramos, who on April 24, 2013, dismissed the complaint and specifically directed plaintiffs to replead and obtain separate index numbers for actions against each group of defendants common to a particular transaction or set of transactions (see Plaintiffs' Request for Judicial Intervention, Exhibit A). On July 3, 2013, counsel for plaintiffs filed a Request for Judicial Intervention (RJI) in this instant action, requesting assignment to the Hon. Marcy Friedman pursuant to my May 23rd Administrative Order. While it is the policy that newly-filed residential mortgage-backed securities actions be assigned to Justice Friedman, under the circumstances, this action is not deemed "newly-filed," as it was previously assigned to Justice Ramos, who dismissed it with leave to replead under new index numbers. Plaintiffs also request, in the alternative, reassignment to Justice Kornreich. However, as Justice Ramos was the last assigned judge, the action is assigned back to him. The Trial Support Office is directed to reassign this action to the Hon. Charles Ramos (Part 53).

Dated: July 12, 2013

ENTER:  _____, A.J.

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION