

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

CONSOLIDATED EDISON COMPANY OF NEW
YORK, INC.,

Plaintiff,

- v -

INDEX NO. 602596/09

LEONARD DIROMA,

Defendant.

Administrative Order:

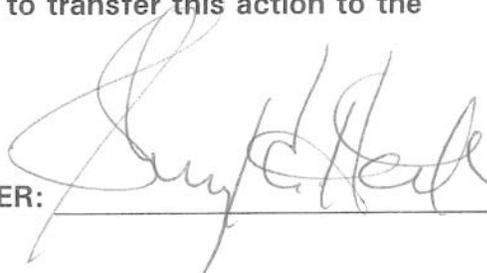
By letter dated February 3, 2014, counsel for plaintiff requests that this action be transferred to the Commercial Division pursuant to Uniform Rule 202.70, and that it be assigned to the Hon. Melvin Schweitzer or the Hon. Eileen Bransten.

Plaintiff's counsel filed the Request For Judicial Intervention (RJI) in this action on January 31, 2014. On the Commercial Division Addendum filed with the RJI, counsel marked plaintiff's claim for compensatory damages as \$67,096.57. Therefore, this action does not meet the standards of the Commercial Division, because it does not satisfy the current \$150,000 monetary threshold.

Plaintiff's counsel contends that this case is related to other cases in the Commercial Division that have been assigned to the Honorable Melvin Schweitzer and Eileen Bransten. However, the Schweitzer matters are now disposed, and plaintiff's counsel never listed the pending Bransten matters on the RJI. See Operations Manual, Section I (D) (2) ("filing counsel is obligated to check off on the RJI whether a 'related case' exists").

For these reasons, plaintiff's request to transfer this action to the Commercial Division is denied.

Dated: February 13 2014

ENTER:  A.J.

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION