

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

PRESENT: Hon. Sherry Klein Heitler  
Administrative Order

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409 LAFAYETTE STREET ASSOCIATES LLC,

Plaintiff,

- v -

INDEX NO. 110772/10

MARK ANTHONY,

Defendant.

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Administrative Order:

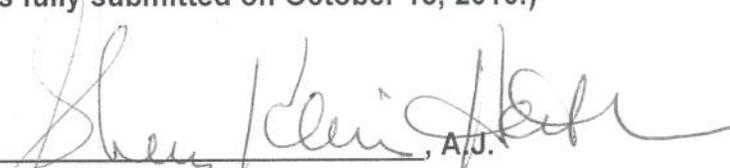
By letter dated October 14, 2010, counsel for plaintiff requests that this action be transferred from I.A.S. Part 36 (Ling-Cohan, J.) into the Commercial Division pursuant to Uniform Rule 202.70 (e). Defendant's counsel does not oppose the request.

Uniform Rule 202.70 (b) (1) provides that actions in which the principal claims are for "[b]reach of contract or fiduciary duty, fraud, misrepresentation, business tort (e.g., unfair competition), or statutory and/or common law violation where the breach or violation is alleged to arise out of business dealings . . ." should be heard in the Commercial Division, provided the \$150,000 monetary threshold for New York County is met or equitable or declaratory relief is sought.

This case meets the standards for assignment to the Commercial Division. The complaint in this action asserts a claim against defendant for tortious interference with commercial real estate leases entered into by the plaintiff and its non-party tenant. Plaintiff alleges damages of \$4,000,000.

Accordingly, the request for a transfer to the Commercial Division is granted. The Motion Support Office is directed to randomly reassign this case to the Commercial Division. (Defendant's motion to dismiss was fully submitted on October 13, 2010.)

Dated: October 22, 2010

ENTER:  A.J.

HON. SHERRY KLEIN HEITLER  
ADMINISTRATIVE JUDGE

Check one:  FINAL DISPOSITION  NON-FINAL DISPOSITION