

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

FIRST AMERICAN TITLE INSURANCE COMPANY
OF NEW YORK,

Plaintiff,

- v -

INDEX NO. 650787/10

WALL STREET TITLE SERVICES, INC., ANDREW
HAM, IN SOOK HAM, KI-HWANG HAM, and JOHN
DOES 1-20

Defendants.

Administrative Order:

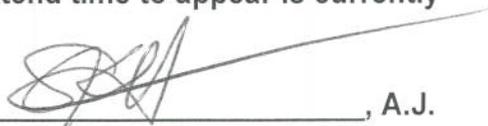
By letter dated August 16, 2010, counsel for plaintiff timely requests that this action be transferred into the Commercial Division pursuant to Uniform Rule 202.70(e). There has been no opposition from defendants.

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 claims for breach of an agency contract and fraud, among other claims. These claims arise out of business dealings between the parties regarding the escrow of funds received by defendant Wall Street Title Services, Inc. in connection with the issuance of title insurance underwritten by plaintiff. Plaintiff claims it has been damaged in excess of \$380,000.

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 Andrew Ham’s motion to extend time to appear is currently returnable on September 24, 2010.)

Dated: August 18 2010

ENTER: , A.J.

HON. SHERRY KLEIN HEITLER
ADMINISTRATIVE JUDGE

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION