

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

PRESENT: Hon. Joan B. Carey  
Administrative Order

**STEVEN SALVATORE and PATRIZIA SALVATORE**

Plaintiffs,

- v -

INDEX NO. 106355/09

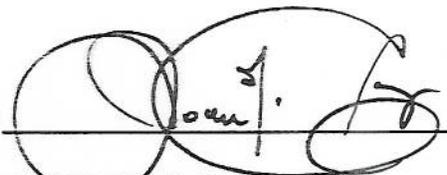
**BETH & 3RD OWNER, LLC and  
RELATED BETH & 3RD OWNER, LLC, and  
MICHAEL LEVITT & RUBINSTEIN, LLC,  
as ESCROW AGENT,**

Defendants.

Administrative Order:

By letter dated May 5, 2009, counsel for the defendants requests that this recently-filed action be assigned to the Commercial Division. His own letter admits that this is a residential real estate dispute concerning the purchase of a residential condominium in a new luxury building in Manhattan. The fact that the purchase price exceeds \$3 million or other purchasers may be seeking similar relief against the developer does not justify assignment of the case to the Commercial Division. Uniform Rule 202.70 (c) is clear that "residential real estate disputes" "will not be heard in the Commercial Division even if the monetary threshold is met."

Dated: May 6, 2009

ENTER:  , A.J.

Check one:  FINAL DISPOSITION

NON-FINAL DISPOSITION