

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

SAMANTHA GARBERS-ADAMS and LISA WALFORD,

Plaintiffs,

- v -

INDEX NO. 118152/2009

SCOTT A. ADAMS, ROBERT W. WALFORD, and
FCSTONE, LLC,

Defendants.

Administrative Order:

By letter dated September 1, 2010, counsel for defendant FCStone, LLC, applies for a transfer of this action from I.A.S. Part 17 (Goodman, J.) to the Commercial Division pursuant to Uniform Rule 202.70. Opposition has not been received.

Plaintiffs filed the complaint in this action on December 29, 2009. In January 2010, the case was removed to federal court by defendant FCStone. On July 8, 2010, the case was remanded back to this court, and on July 19, 2010, plaintiffs filed a Request for Judicial Intervention (RJI) in connection with their motion to amend the complaint. Plaintiffs did not designate the case commercial, and the matter was assigned to a non-commercial part.

Uniform Rule 202.70 (e) places a 10-day time limit on these applications, measured from the receipt of a copy of the RJI, and the time limit is strictly construed. The request for a transfer is, therefore, denied as untimely.

Dated: September 8, 2010

ENTER: , A.J.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION