

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

PRESENT: Hon. Sherry Klein Heitler  
Administrative Order

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In the Matter of the Application of

COMMERZ MARKETS LLC, formerly known as  
DRESDNER KLEINWORT SECURITIES LLC,

Petitioner,

- v -

INDEX NO. 103738/2011

CHRISTIAN P. MILLER, BRIAN LANGILLE,  
JOHN BILELLO, RICARDO ZULLIGER and VINCENT  
FAUST,

Respondents.

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Administrative Order:

By letter dated April 13, 2011 addressed to the Hon. Jane S. Solomon, counsel for the respondents requests that this action be re-assigned to the Hon. Richard B. Lowe III. Justice Lowe handled a related action, Commerzbank AG v Bilello, Index No. 600452/10 (the Bilello action). By order dated August 6, 2010, Justice Lowe stayed most of the claims pending arbitration, and transferred the remaining claims of Vikas Nigam and Beatrice O'Carroll to a non-commercial part for failure to meet the \$150,000 monetary threshold of the Commercial Division. Justice Solomon is the assigned judge on Bilello action.

This new Article 75 proceeding will not be re-assigned. Justice Lowe is no longer a justice of the Commercial Division. In January 2011, he became the Presiding Justice of the Appellate Term, First Department. As respondents' counsel acknowledges in his letter, the two cases are related matters. Accordingly, both the Bilello action and this Article 75 proceeding will remain with Justice Solomon (I.A.S. Part 55).

Dated: April 25, 2011

ENTER:  \_\_\_\_\_, A.J.

Check one:  FINAL DISPOSITION  NON-FINAL DISPOSITION