

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

SWISS CENTER, INC.,

Petitioner,

- v -

INDEX NO. 651730/11

608 COMPANY, LLC,

Respondent.

Administrative Order:

By letter dated June 23, 2011, counsel for respondent requests that this action be assigned to the Honorable Barbara Kapnick as related to a prior action in the Commercial Division among the exact same parties. Counsel for the petitioner does not oppose the application.

There is no question that this special proceeding, which seeks to disqualify one of respondent's expert witnesses in an arbitration, is related to Swiss Center, Inc. v. 608 Company, LLC, Index No. 651999/2010, as it involves the same parties, same lease, and same arbitration. Thus, in the interest of judicial economy, the action will be assigned to Justice Kapnick.

Accordingly, the request for an assignment of this special proceeding to the Hon. Barbara Kapnick (Part 39) is granted. The appropriate back office is ordered to assign this proceeding accordingly. (The Petition is currently returnable on July 8, 2011.)

Dated: June 27, 2011

ENTER: , A.J.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION