

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

TLM REAL ESTATE, LLC and MARK J. SEELIG,

Plaintiffs,

- v -

INDEX NO. 113078/2011

HINCKLEY & HEISENBERG LLP
and CHRISTOPH HEISENBERG,

Defendants.

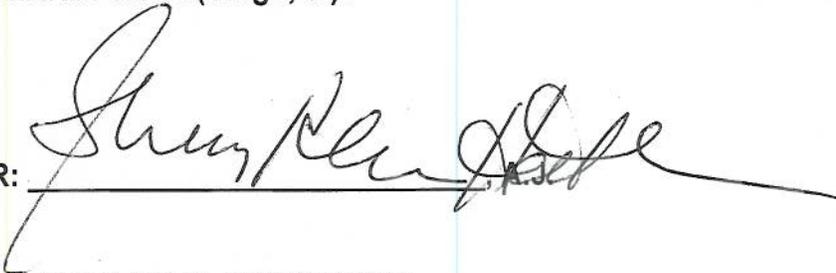
Administrative Order:

By letter dated January 30, 2012, plaintiffs' counsel requests that this action be re-assigned from the Hon. Jeffrey K. Oing (Comm. Div. Part 48) to the Hon. Anil Singh (I.A.S. Part 61) as related to two other pending cases in this court (Barbarito v Zahavi, et al., Index No. 651300/11 and Matter of TLM Real Estate, LLC v Hinckley & Heisenberg LLP, Index No. 111988/11). Counsel for the defendants opposes the request by letter dated January 31, 2012, contending that the action belongs in the Commercial Division.

This action was not designated by defendants' counsel as a commercial case on the Request For Judicial Intervention (RJI) he filed nor was the required Commercial Division addendum attached to the RJI. Rather, the matter was described as "Other Tort: Judiciary Law 487." In addition, the RJI properly listed two other cases, currently pending before Justice Singh, as related cases (see Supreme Court, Civil Branch, New York County Operations Manual, § I [B]). This action was apparently assigned to Justice Oing in the Commercial Division in error by the clerk's office.

The plaintiffs' request for a re-assignment is granted, and the Motion Support Office is directed to assign this action to I.A.S. Part 61 (Singh, J.).

Dated: February 6, 2012

ENTER: 

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION