

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

WATERFALL VICTORIA JEMCAP REO 2010-01, LLC,

Plaintiff,

- v -

INDEX NO. 810104/2010

ANNETTE HEW, NEW YORK TRANSIT ADJUDICATION
BUREAU, UPPER MANHATTAN EMPOWERMENT
ZONE DEVELOPMENT CORP., NEW YORK CITY
ENVIRONMENTAL CONTROL BOARD, "JOHN DOE
ONE" through "JOHN DOE TEN," et al.,

Defendants.

Administrative Order:

By letter dated April 11, 2011, counsel for the plaintiff requests that this action be assigned to the Commercial Division as a commercial foreclosure action. The Court has not received any response to the request.

Plaintiff's counsel filed the Request for Judicial Intervention (RJI) on February 8, 2011 in connection with plaintiff's ex parte application for an order of reference. The designation of this action on the RJI was marked as "Real Property - Foreclosure." The right to appeal an RJI designation is limited to "any other party." Rule 202.70(e). In addition, this application is past the 10-day time limit set forth in Rule 202.70(e).

For these reasons, plaintiff's request for assignment to the Commercial Division is denied.

Dated: April 20, 2011

ENTER:  _____, A.J.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION