

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

PRESENT: HON. JACQUELINE W. SILBERMANN
Administrative Judge Justice

PART

Richard W. Mehrlich

INDEX NO.

600175/2004

MOTION DATE

MOTION SEC. NO.

MOTION CAL. NO.

- v -
BDO Seidman, LLP

Administrative Order -
Interim Order

The following papers, numbered 1 to _____ were read on this motion to/for _____

PAPERS NUMBERED

Notice of Motion/ Order to Show Cause — Affidavits — Exhibits ...

Answering Affidavits — Exhibits _____

Replying Affidavits _____

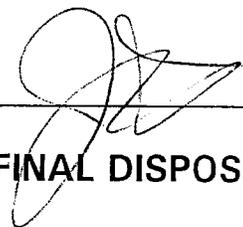
Cross-Motion: Yes No

~~Upon the foregoing papers, it is ordered that this motion~~

Counsel for defendant has requested the transfer of this case to the Commercial Division. The case was assigned at random to Part 17 (Goodman, J.) because the case had been designated on the RJI as a matter involving an "Other Tort." Plaintiff had purchased a commercial index number and so presumably is amenable to a transfer. In fact, counsel for defendant represents that the attorney for plaintiff joins in defendant's request. Justice Goodman is also in agreement. Paragraph B (7) of the *Guidelines for Assignment of Cases to the Commercial Division* provides that actions involving alleged malpractice by accountants are presumptively appropriate for treatment in the Division. This case demands compensatory damages of a minimum of \$ 2 million. Accordingly, this case falls within the category of cases properly assigned to the Division. Therefore, the Motion Support Office is directed to reassign this case at random to a Justice of the Commercial Division.

Dated: 8/11/04

8/11/04



J.S.C.

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION

Check if appropriate: DO NOT POST

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE
FOR THE FOLLOWING REASON(S):