

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

PRESENT: HON. JACQUELINE W. SILBERMANN
Administrative Judge Justice

~~PART~~ _____

Hoffinger Stern & Ross LLP

INDEX NO. 603386/2005

MOTION DATE _____

MOTION SEC. NO. _____

MOTION CAL. NO. _____

- v -
Marina Bonaparte et al.

Administrative Order

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

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

Answering Affidavits — Exhibits _____

Replying Affidavits _____

PAPERS NUMBERED

Cross-Motion: Yes No

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

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

Counsel for plaintiff submitted a motion for summary judgment and a Request for Judicial Intervention. On the RJI the case was identified as a Commercial Division case. Counsel also submitted a letter addressed to the Commercial Division Support Office seeking an assignment of the case to the Division.

The case was assigned to the Division. Pursuant to Paragraph C (i) of the *Guidelines for Assignment of Cases to the Commercial Division* (see the Commercial Division website at www.nycourts.gov/comdiv), cases designated on the RJI as Division matters are screened by the relevant back office with regard to the sums at issue and are assigned to the Division if \$ 125,000 or more is demanded, as here. When making the assignment, the back offices do not take into account the nature of the subjects involved in the case, which is a matter for the assigned Justice. See Paragraph C (ii).

Dated: _____ J.S.G.

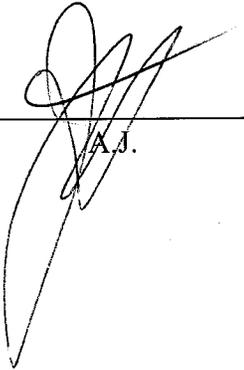
Check one: FINAL DISPOSITION NON-FINAL DISPOSITION

Check if appropriate: DO NOT POST REFERENCE

The letter of counsel generated three further letters, which were addressed to the undersigned and concerned with whether or not the case should be transferred out of the Division. Pursuant to Paragraph C (ii) of the *Guidelines*, a request that a case that has been assigned to the Division should be transferred to a General Assignment Part should be made in the first instance to the assigned Division Justice, here Hon. Karla Moskowitz. The Administrative Judge becomes involved only on an appeal from a directive of the Division Justice. See Paragraph F of the *Guidelines*. Accordingly, I will not resolve the dispute at hand, but will forward the correspondence to Justice Moskowitz, together with the motion papers and RJI, which have been obtained from the Motion Support Office.

Dated:

11/16/05



A.J.