

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

PRESENT: Hon. Walter B. Tolub, Acting Administrative Judge
Administrative Order

In the Matter of the Application of

HUGH WYATT, Individually,

Petitioner,

-against-

INDEX NO. 602299/2008

INNER CITY BROADCASTING CORPORATION,
INNER CITY MEDIA CORPORATION, ICBC
BROADCAST HOLDINGS, INC., PERCY E. SUTTON,
PIERRE SUTTON, LOIS E. WRIGHT,
CHARLES WARFIELD, HAROLD JACKSON,
HAROLD JACKSON PRODUCTIONS
and PERCY SUTTON INTERCONTINENTAL, INC.,

Respondents.

Administrative Order:

By letter dated August 20, 2008, respondents' counsel requests that this action be transferred into the Commercial Division pursuant to Uniform Rule 202.70. There is no objection to this timely request.

Although petitioner's counsel designated the case as a "Commercial -- Corporate" on the Request for Judicial Intervention she filed, the apparent failure to include the signed statement justifying Commercial Division designation caused the case to be assigned to a non-commercial part. Since the principal claim in this special proceeding concerns a demand by a minority shareholder for inspection of the books and records of respondent Inner City Broadcasting Corp. pursuant to B.C.L. § 624, it falls within the standards for assignment of cases to the Commercial Division (see Uniform Rule 202.70[b][7]).

The request for a transfer is granted, and the Motion Support Office is directed to re-assign this case at random to a Justice of the Commercial Division. (The petition is currently returnable in I.A.S. Part 17 [Goodman, J.] on September 4, 2008.)

Dated: August 22, 2008

ENTER:  **WALTER B. TOLUB**, A.J.

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION