

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

PRESENT: HON. JACQUELINE W. SILBERMANN
Administrative Judge Justice

PART _____

American Holdings, Inc., et al.

INDEX NO. 115392/2004

- v -

Touys LLP, et al.

MOTION DATE _____

MOTION SEQ. NO. _____

MOTION CAL. NO. _____

Administrative 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~~

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

Counsel for defendants seeks a transfer of this case to the Commercial Division pursuant to Uniform Rule 202.70. This request was initially made to the assigned Justice, Honorable Debra A. James, but the new standards provide that such a request shall be made to the Administrative Judge. Counsel therefore subsequently applied to the undersigned. The request is denied. The Request for Judicial Intervention in this case was filed on April 26, 2005. In my view, the most orderly procedure is to apply the new standards to cases in which RJIs were filed on or after the effective date thereof, January 17, 2006. See Bistate Oil Management Co. V. US Skyline Realty Ltd., Index No. 117022/2005 (see the New York County home page on the website at www.nycourts.gov/comdiv). Under the *Guidelines for Assignment of Cases to the Commercial Division*, which applied when the RJI was filed, this case was properly assigned to a General Assignment Part.

Dated: 2/28/06


A.J. JSC

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION

Check if appropriate: DO NOT POST REFERENCE