

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

PRESENT: Hon. Joan B. Carey
Administrative Order

CDR CREANCES S.A.S., as Successor to
Societe de Banque Occidentale,

Plaintiff,

- v -

INDEX NO. 650084/09

FIRST HOTELS & RESORTS INVESTMENTS, INC.,
et al.,

Defendants.

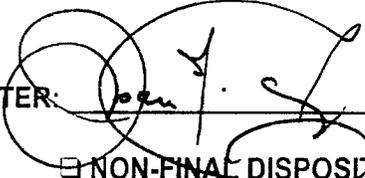
Administrative Order:

By letter dated May 28, 2009, counsel for the defendants requests a transfer of this action and two other related cases, from I.A.S. Part 15 (Tolub, J.) to the Commercial Division pursuant to Uniform Rule 202.70. The Court has not received opposition to this request from plaintiff.

In view of Justice Tolub's retirement at the end of this year, and the fact that this action was originally filed as a commercial action, but transferred to a non-commercial part due to the then pendency of a related case, it is appropriate to order a transfer of the action, along with the related cases (CDR Creances S.A.S. v Cohen, Index No. 600448/06 and CDR Creances S.A.S. v Cohen, Index No. 109565/03) to the Commercial Division, since there is no question whatsoever that these matters, in Justice Tolub's words, "arise in connection with over a decades' worth of extremely complicated business transactions."

Accordingly, the request for a transfer to the Commercial Division is granted. The Motion Support Office is directed to reassign this case (together with Index Nos. 600448/06 & 109565/03) to the same Justice of the Commercial Division.

Dated: June 2, 2009

ENTER:  _____, A.J.

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION

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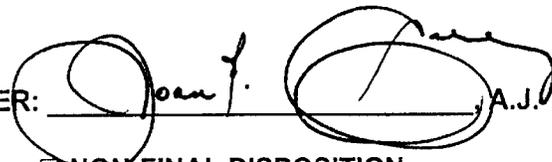
Administrative Order:

In light of plaintiff's letter in opposition, received on June 4, 2009, I am vacating my order, dated June 2, 2009, transferring this action and two other related cases, from I.A.S. Part 15 (Tolub, J.) to the Commercial Division. This action and the two related cases will remain with Justice Tolub. The parties are to appear before Justice Tolub on August 5, 2009 for a status conference. This is the final decision of this Court.

Accordingly, the request for a transfer to the Commercial Division is denied.

Dated: June 4, 2009

ENTER: _____, A.J.



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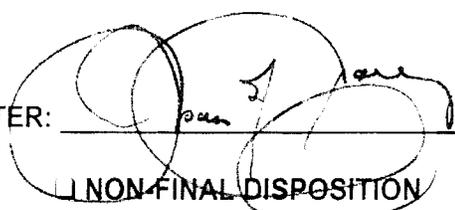
FIRST HOTELS & RESORTS INVESTMENTS, INC.,
et al.,

Defendants.

Administrative Order:

In view of Justice Tolub's impending retirement from the bench, I am reassigning this action and two other related actions (CDR Creances S.A.S. v. Maurice Cohen, et al., Index No. 109565/03 and CDR Creances S.A.S. v. Leon Cohen, et al., Index No. 600448/06) to Justice James A. Yates, Commercial Division Part 49, effective immediately.

Dated: December 2, 2009

ENTER:  _____, A.J.

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION