

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

PRESENT: Hon. Sherry Klein Heitler  
Administrative Order

CHOICE HOTELS INTERNATIONAL, INC.,

Plaintiff,

INDEX NO. 112679/2010

-v-

SAM KLEIN, PLC PARTNERS, LLC, PLC  
PARTNERS HOLDING, LLC, and 325 WEST  
33<sup>RD</sup> PARTNERS, LLC,

Defendants.

Administrative Order:

By letter dated October 12, 2010, counsel for defendants requests that this action be transferred into the Commercial Division pursuant to Uniform Rule 202.70. By letter dated October 20, 2010, plaintiff objects to a transfer.

This action purports to seek the enforcement of judgments awarded, but not yet finalized, in an action brought in Maryland. Pursuant to Uniform Rule 202.70 (c) (4), "proceedings to enforce a judgment regardless of the nature of the underlying case" will not be heard in the Commercial Division. Although the judgments in the Maryland action are not final, plaintiff is still ultimately seeking to enforce those judgments when final. Therefore, the application to transfer this action to the Commercial Division is denied.

Dated: October 28, 2010

ENTER:  , A.J.

Check one:  FINAL DISPOSITION

NON-FINAL DISPOSITION