

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

PRESENT: Hon. Jacqueline Silbermann
Administrative Order

MILLENNIUM IMPORT, LLC,

Plaintiff,

- v -

INDEX NO. 603350/07

REED SMITH LLP, DOUGLAS J. WOOD and
DARREN B. COHEN,

Defendants.

Administrative Order:

By letter dated March 13, 2009, counsel for the defendants requests a transfer of this action from I.A.S. Part 44 (Tingling, J.) to the Commercial Division pursuant to Uniform Rule 202.70. Plaintiff Millenium Import, LLC joins in the request.

By order dated April 9, 2008, Judge Jacqueline Silbermann denied a similar request by plaintiff as untimely, advising that the 10-day time limit from receipt of the Request for Judicial Intervention by the non-filing party (see Uniform Rule 202.70[e]), is strictly construed in order to prevent judge shopping. In addition to the nearly one-year delay, the assigned judge has now ruled on a substantive motion in this case. If the parties wish to pursue non-binding outside mediation/arbitration in order to settle their \$100+ million dispute, they are free to raise the issue with the assigned judge at the next scheduled conference on March 26, 2009.

Dated: March 20, 2009

ENTER:  _____, A.J.

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION