

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

PETRA MORTGAGE CAPITAL CORP LLC and PETRA
CRE CDO 2007-1, LTD.,

Plaintiffs,

- v -

INDEX NO. 651861/10

AMALGAMATED BANK, as Trustee of Longview
Ultra I Construction Loan Investment Fund,

Defendant.

Administrative Order:

By letter dated November 16, 2010, counsel for defendant seeks to have this action reassigned from the Commercial Division to the Hon. Eileen Rakower (I.A.S. Part 15) on the grounds that this action is related to Amalgamated Bank v Fort Tryon Tower SPE LLC. et al., Index No. 101283/10 (Amalgamated Action).

On November 10, 2010, plaintiffs filed a Request for Judicial Intervention (RJI), marking the case commercial. Plaintiffs did not mark this case related to the Amalgamated Action. Thus, this case was randomly assigned to the Hon. Barbara Kapnick (Part 39) in the Commercial Division. The decision as to whether this action is related to the Amalgamated Action, belongs, in the first instance, to the assigned Justice (see Section I[B] of the "Summary of Courthouse Procedures"). Therefore, the parties must make their request to Judge Kapnick. It is only if further review is required after Judge Kapnick's determination, that the issue is raised before the Administrative Judge.

Dated: November 21, 2010

ENTER: Sherry Klein Heitler, A.J.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION