

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

TALISMAN CAPITAL ALTERNATIVE
INVESTMENT FUND LTD.,

Plaintiff,

-against-

INDEX NO. 650080/11

ATLANTIC MARKETING SERVICES LIMITED,

Defendant.

Administrative Order:

By letter dated March 3, 2011, defense counsel requests, on behalf of both parties, a transfer of this action to the Commercial Division pursuant to Uniform Rule 202.70.

This matter arises from defendant's alleged breach of a loan agreement between the parties and promissory notes issued in accordance with that loan agreement. The complaint seeks damages in excess of \$40 million. Therefore, the action meets the standards for the Commercial Division. See Uniform Rule 202.70 (a), (b) (1). Indeed, counsel for plaintiff designated the case as a commercial breach of contract action on the RJL he filed, but the case was not assigned to the Commercial Division due to the absence of the required statement in support.

The Motion Support Office is directed to reassign this case at random from I.A.S. Part 12 (Feinman, J.) to a Justice of the Commercial Division. (A motion for pro hac vice is currently returnable in the E-Filed Motions Part on March 10, 2011.)

Dated: March 7, 2011

ENTER:  _____, A.J.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION