

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

PRESENT: Hon. JACQUELINE N. SILBERMANN PART
Administrative Judge *Justice*

Desjardis

- v -
Ameritrade Holding Corp.

INDEX NO. 123841/2002
MOTION DATE _____
MOTION SEQ. NO. _____
MOTION CAL. NO. _____

The following papers, numbered 1 to _____ were read on this motion to/for _____

	PAPERS NUMBERED
Notice of Motion/ Order to Show Cause — Affidavits — Exhibits ...	_____
Answering Affidavits — Exhibits _____	_____
Replying Affidavits _____	_____

Cross-Motion: Yes No

~~Upon the foregoing papers, it is ordered that this motion~~

MOTION/CASE IS RESPECTFULLY REFERRED TO
JUSTICE
DATED: J.S.C.

Defendants have requested a transfer of this case into the Commercial Division. The transfer request was directed to Justice Lebedeff, who forwarded the request to me with an indication that she has no objection to the transfer. Under Paragraph G of the Guidelines for Assignment of Cases to the Commercial Division, a request is to be made of the assigned Justice in the first instance, with the approval of the Administrative Judge required for all transfers granted by the assigned Justice. This case is clearly commercial in nature and belongs in the Division. The plaintiffs have apparently submitted no opposition to this request to Justice Lebedeff. Indeed, plaintiffs had originally designated this case as a commercial matter on the index number purchase form. A Commercial Division number was not assigned apparently as a result of administrative inadvertence. Accordingly, a transfer into the Commercial Division for random assignment is approved.

Dated: 4/10/03

[Signature]
J.S.C.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION