

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

PRESENT: HON. JACQUELINE W. SILBERMANN
Administrative Judge Justice

PART _____

Trinity Bui et ans.

INDEX NO.

117290/2005

MOTION DATE _____

- v -

MOTION SEQ. NO. _____

Industrial Enterprises of America,
Inc., et ans.

MOTION CAL. NO. _____

Administrative Order

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 FOR THE FOLLOWING REASON(S):

The parties to this case wish to have the matter assigned to the Commercial Division. The case is currently assigned to a non-Commercial Part. The matter was initially assigned to the Commercial Division but was reassigned pursuant to the directive of Hon. Bernard J. Fried dated Jan. 20, 2006. The Request for Judicial Intervention was filed on Jan. 18, 2006, the day after the effective date of the new standards for case assignment, Uniform Rule 202.70. The present application is accompanied by two statements of the parties in support of the assignment to the Division. However, the earlier of the two is dated Jan. 25, 2006, meaning that the statement was not submitted with the RJI. The new procedures require that the statement be submitted with the RJI (Section 202.70 (d) (2)). This application is therefore denied as untimely.

Dated: 2/28/06

[Signature]
D.J. J.S.G.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION

Check if appropriate: DO NOT POST REFERENCE