

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

PRESENT: Hon. Sherry Klein Heitler  
Administrative Order

AVRAHAM GOLD, individually, and on behalf of all  
others similarly situated,

Plaintiff,

INDEX NO. 653923/2012

-v-

NEW YORK LIFE INSURANCE CO., NEW YORK LIFE  
INSURANCE AND ANNUITY CORP., NYLIFE  
INSURANCE CO. OF ARIZONA, NYLIFE SECURITIES  
LLC (f/k/a NYLIFE SECURITIES, INC.), JOHN DOES  
1-50 (said names being fictitious individuals), and  
ABC CORPORATIONS 1-50 (said names being  
fictitious companies, partnerships, joint ventures  
and/or corporations).

Defendants.

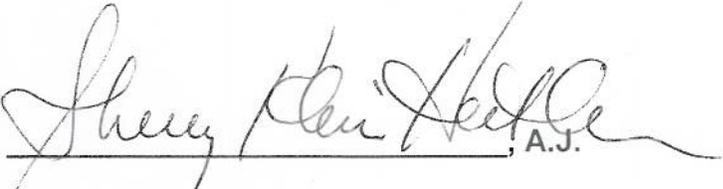
Administrative Order:

By letter dated December 3, 2012 counsel for plaintiff objects to the assignment of this action to the Commercial Division and seeks reassignment to a non-commercial part. By letter dated December 4, 2012, counsel for defendants opposes reassignment out of the Commercial Division.

The decision to transfer a case from the Commercial Division belongs, in the first instance, to the assigned Commercial Division justice. See Uniform Rule 202.70 (f). Accordingly, I am referring both counsels' letters to the Honorable O. Peter Sherwood (Commercial Division Part 49).

Dated: December 11, 2012

ENTER:

  
A.J.

Check one:  FINAL DISPOSITION

NON-FINAL DISPOSITION