

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

PRESENT: Hon. Peter H. Moulton
Administrative Order

JASON GOLDFARB,

Plaintiff,

vs.

INDEX NO. 159203/15

JOSEPH A. ROMANO ESQ.,
ROBERTA ROMANO, ESQ., and
LAW OFFICES OF JOSEPH A. ROMANO,

Defendants.

Administrative Order:

By letters dated January 14 and 15, 2016, counsel for defendants Joseph A. Romano Esq. and Law Offices of Joseph A. Romano requests that this action be assigned to the Commercial Division pursuant to the Rules of the Commercial Division, Uniform Rule 202.70 (e). Plaintiff's counsel opposes the request by his letter dated January 15, 2016, arguing that this is a suit to collect professional fees, and, thus, does not qualify for assignment to the Commercial Division pursuant to Uniform Rule 202.70 (c) (1).

Uniform Rule 202.70 (b) (1) provides that actions in which the principal claims involve or consist of a breach of contract, where the breach or violation is alleged to arise out of business dealings, will be heard in the Commercial Division provided the \$500,000 monetary threshold for New York County is met or equitable or declaratory relief is sought. Specifically included are actions concerning employment agreements, unless the claims principally involve alleged discriminatory practices. The principal claim in this lawsuit is the breach of an employment agreement, by which plaintiff was employed by defendants to provide legal services concerning worker compensation claims for clients he originated and the damages sought are not less than \$1,400,000.

The request for a transfer of this action to the Commercial Division is granted. The General Clerk's Office is directed to reassign this case at random to a justice of the Commercial Division.

Dated: January 19, 2016

ENTER: , A.J.

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION