

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

PRESENT: Hon. George J. Silver, Acting Administrative Judge  
Administrative Order

CENTURY 21 NEW GOLDEN AGE REALTY  
INC. and DAVID SHARGANI,

Plaintiffs,

- v -

INDEX NO. 652193/2017

VANELLA REALTY CORP. and LINDA  
VANELLA,

Defendants.

Administrative Order:

By letter dated June 2, 2017, plaintiffs' counsel timely requests assignment of this action to the Commercial Division pursuant to Commercial Division Rule 202.70 (e). No opposition to the request has been received.

Actions in which the principal claims are for breach of contract or business torts, where the breach or violation is alleged to arise out of business dealings, may 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 (Commercial Division Rule 202.70 [a], [b] [1]). The complaint in this action seeks damages in excess of \$650,000 arising from the defendants' alleged failure to compensate plaintiffs pursuant to the terms of an exclusive listing agreement which allegedly granted plaintiff the sole and exclusive right to sell defendants' property located at 27-35 Madison Street, New York. Plaintiffs also allege causes of action for breach of the covenant of good faith and fair dealing and tortious interference with contract arising from defendants' alleged efforts to inhibit plaintiffs' ability to show the property to prospective purchasers or otherwise perform pursuant to the listing agreement.

The request is granted. The General Clerk's Office is directed to randomly re-assign this case from I.A.S. Part 42 (Bannon, J.) to a Justice of the Commercial Division. (A motion to change venue to Nassau County is presently returnable in the Motion Submissions Part on June 30, 2017.)

Dated: June 8, 2017

ENTER: George J. Silver, A.J.

Check one:  FINAL DISPOSITION  NON-FINAL DISPOSITION

HON. GEORGE J. SILVER