

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

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

ENVISION NEW YORK, LLC,

Plaintiff,

vs.

INDEX NO. 650436/2017

SKYVIEW CAPITAL PARTNERS, L.P.,
SKYVIEW CAPITAL MANAGEMENT, LLC,
SAMSON EQUITY OF NY CORP.,
SAMSON A. QUINN and LENNON STRAVATO,

Defendants.

Administrative Order:

Pursuant to Commercial Division Rule 202.70 (e), the Hon. David B. Cohen requests that this action be transferred into the Commercial Division. The complaint in this action alleges that defendants breached a financing agreement and states causes of action for breach of contract, negligent misrepresentation, conversion, unjust enrichment, fraud and fraudulent inducement. Plaintiff's complaint seeks \$1,250,000 in damages. The nature of the action satisfies both the monetary threshold and the case type requirements for the Commercial Division (see Commercial Division Rule 202.70 [a], [b] [1]). A Commercial Division Addendum was filed on March 13, 2017 requesting that the matter be assigned to the Commercial Division. However, due to an apparent typographical error, the form incorrectly listed the amount in controversy as \$1,250, and the case was assigned to General I.A.S. Part 58.

The request for a transfer to the Commercial Division is granted, without prejudice to the right of the assigned Commercial Division Justice to transfer the case back to I.A.S. Part 58 pursuant to Commercial Division Rule 202.70 (f) (1) if, in his or her discretion, the case does not truly satisfy the \$500,000 monetary threshold (see Cmpl., ¶¶ 58-63). The General Clerk's Office is directed to randomly reassign this case to a Justice of the Commercial Division. (Motion sequence nos. 001 and 002 were fully submitted in May 2017, and remain pending. Per stipulation of the parties, opposition and reply papers on motion sequence no. 003 are due August 10th and August 27th, respectively).

Dated: August 3, 2017

ENTER: George J. Silver, A.J.

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION

GEORGE J. SILVER