

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

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

GREAT AJAX OPERATING PARTNERSHIP L.P.,

Plaintiff,

vs.

INDEX NO. 651490/2017

PCG REO HOLDINGS, LLC and ROUNDPOINT
MORTGAGE SERVICING CORPORATION,

Defendants.

Administrative Order:

By letter dated July 17, 2017, plaintiff's counsel requests that this action be assigned 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 alleges that the plaintiff and defendants entered into a Mortgage and Loan REO Purchase and Interim Servicing Agreement dated February 17, 2015, by which the plaintiff purchased from defendants a group of five mortgage loans and real estate owned (REO) properties and paid defendants a total of \$1,948,000. Defendants are allegedly in breach of that agreement by failing to transfer the properties to plaintiff, and plaintiff seeks damages in excess of \$1 million. Although the Request for Judicial Intervention and Commercial Division Addendum were not filed within 90 days of service of the summons and complaint (Commercial Division Rule 202.70 [d]), the delay is a matter of days and is excused.

The request is granted. The General Clerk's Office is directed to reassign this case to a Justice of the Commercial Division.

Dated: August 1, 2017

ENTER: *George J. Silver*, A.J.

GEORGE J. SILVER
J.S.C.

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION