

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

**PRESENT: HON. DEBORAH A. KAPLAN**  
*Administrative Judge*  
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LJL 860 CONSULTING, LLC

INDEX NO. 656175/2018

Plaintiff,

- v -

JOSHUA PRESS,

Defendant.

**ADMINISTRATIVE  
ORDER**

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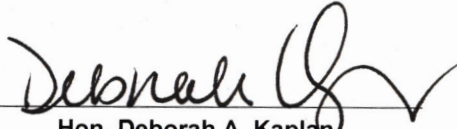
By letter dated March 22, 2019, David Rosenberg, Esq., counsel for plaintiff, requests that this action be assigned to the Commercial Division pursuant to Uniform Rule 202.70. Defendant's counsel has not submitted a response to this application.

Although the action falls within the standards for assignment of cases to the Commercial Division (see, Uniform Rule 202.70[a]), and plaintiff filed a Commercial Division addendum, the action was assigned to general part because the RJL, filed March 21, 2019, indicated that the summons and complaint was served on defendant on 12/17/08 (more than 90 days before the filing of the RJL and Commercial Division addendum).

In his letter application, attorney Rosenberg indicates that service of the complaint was not made on December 17, 2018, but, rather, pursuant to CPLR 308(2), service on the defendant was completed on December 28, 2018, ten days after filing the Affidavit of Service with the Court.

In light of this explanation/correction, the request for assignment to the Commercial Division is granted. The General Clerk's office is directed to transfer this case from Judge Engoron (IAS part 37), and to (randomly assign) to a Justice of the Commercial Division.

DATE: 5/3/19

  
Hon. Deborah A. Kaplan  
Administrative Judge  
Supreme Court, New York County  
Civil Branch