

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

BOSTON INFRASTRUCTURE INVESTMENTS INC.,

Plaintiff,

- v -

INDEX NO. 650833/11

MACQUARIE CAPITAL GROUP LIMITED and
MACQUARIE CAPITAL (USA) INC.,

Defendants.

Administrative Order:

By letter dated June 15, 2011, plaintiff requests that this action be assigned to the Commercial Division pursuant to Uniform Rule 202.70(e). There is no opposition from any defendant. In this action, plaintiff alleges that defendants breached a "Consulting and Fund Placement Fee Agreement" executed in connection with the parties' efforts to establish and raise capital for a Mexican investment fund, and that defendants owe plaintiff fees totaling well over \$150,000. There is no question that this action meets the standards for assignment to the Commercial Division in this county (see Uniform Rule 202.70 [a], [b][1]).

Accordingly, the request for a transfer of this case to the Commercial Division is granted. The Motion Support Office is directed to reassign this case at random to a Justice of the Commercial Division. (A motion to dismiss is currently returnable in the E-filed Motion Submissions Part on June 24, 2011.)

Dated: June 17, 2011

ENTER: , A.J.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION