

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

**PRESENT: Hon. Peter H. Moulton
Administrative Order**

JULIO MARIO SANTO DOMINGO,

Plaintiff,

vs.

INDEX NO. 653453/15

BIDKIND, LLC and HERVÉ LARREN,

Defendants.

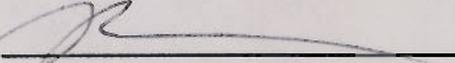
Administrative Order:

By letter dated November 19, 2015, plaintiff's counsel requests that this action be transferred into the Commercial Division pursuant to the Rules of the Commercial Division, Uniform Rule 202.70 (e). To date, no opposition 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 is sought (Uniform Rule 202.70 [a], [b] [1]). The complaint in this action seeks damages of approximately \$2 million for breach of a loan agreement between plaintiff and defendant BidKind, LLC, as well as common law claims for unjust enrichment and conversion arising out of this business dealing between the parties.

Accordingly, the request for a transfer to the Commercial Division is granted. The General Clerk's Office is directed to randomly reassign this case to a Justice of the Commercial Division. (A motion to quash subpoenas and for a protective order is returnable on December 23, 2015 and a separate motion to extend defendants' time to answer the complaint is returnable on January 4, 2016.)

Dated: November 24, 2015

ENTER:  , A.J.

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION