

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

PRESENT: Hon. Sherry Klein Heitler  
Administrative Order

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DAVID MOYAL, Suing Individually and  
on Behalf of: Circle Press, Inc.,

Plaintiffs,

-against-

INDEX NO. 157850/14

JOSEPH SULLO, ROBERT MALTA and  
GMD 444 LLC,

Defendants,

CIRCLE PRESS, INC.,

As Nominal Defendant.

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Administrative Order:

By letter dated August 11, 2014, defense counsel timely requests that this action be reassigned from I.A.S. Part 17 (Hagler, J.) to the Commercial Division pursuant to Uniform Rule 202.70. To date, no opposition has been received.

This derivative lawsuit alleges breach of a shareholder agreement. The complaint seeks monetary damages of \$1 million and declaratory relief. Thus, it falls within the standards for assignment of cases to the Commercial Division (see Uniform Rule 202.70 [b] [1], [4]).

The request for re-assignment is granted, and the General Clerk's Office is directed to re-assign this case at random to a Justice of the Commercial Division. A preliminary injunction hearing is currently scheduled for September 15, 2014. The parties are directed to contact the Part Clerk of the newly-assigned Commercial Division Justice to reschedule this hearing at the earliest convenient date.

Dated: August 18, 2014

ENTER: Sherry Klein Heitler, A.J.

Check one:  FINAL DISPOSITION

NON-FINAL DISPOSITION