

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

PRESENT: Hon. JACQUELINE W. SILBERMANN  
Administrative Judge *Justice*

PART

Syndicated Communications Ventures  
Partners II, LP  
- v -  
Baystar Capital, LP

INDEX NO. 601656/2003  
MOTION DATE \_\_\_\_\_  
MOTION SEQ. NO. \_\_\_\_\_  
MOTION CAL. NO. \_\_\_\_\_

The following papers, numbered 1 to \_\_\_\_\_ were read on this motion to/for \_\_\_\_\_

Notice of Motion/ Order to Show Cause — Affidavits — Exhibits ...  
Answering Affidavits — Exhibits \_\_\_\_\_  
Replying Affidavits \_\_\_\_\_

PAPERS NUMBERED

Cross-Motion:  Yes  No

~~Upon the foregoing papers, it is ordered that this motion~~

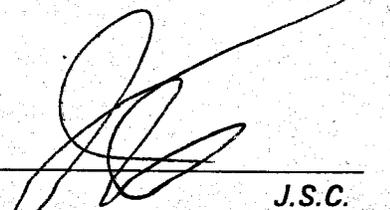
J.S.C.

As a result of a clerical error, this case was designated on the RJI as an "Other Matter" rather than as a commercial case and was accordingly assigned as a General case. It is clear that this litigation belongs in the Commercial Division. The issue was raised by the parties with the assigned Justice, Mr. Justice DeGrasse, as provided in the *Guidelines for Assignment of Cases to the Commercial Division*, and Justice DeGrasse referred the parties to the undersigned. The parties are all in agreement that a transfer should be directed. Accordingly, pursuant to the *Guidelines*, it is hereby directed that the Commercial Division Support Office reassign this case at random to a Justice of the Commercial Division.

JUSTICE

DATED:

Dated: 9/17/03

  
\_\_\_\_\_  
J.S.C.

Check one:  FINAL DISPOSITION  NON-FINAL DISPOSITION