

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

PRESENT: Hon. Peter H. Moulton
Administrative Order

BOARD OF MANAGERS OF THE GATEWAY
CONDOMINIUM on its own behalf and on behalf of
individual unit owners,

Plaintiff,

- v -

INDEX NO.
652225/14

GATEWAY II, LLC, STEVEN C. GAETANO, MATTHEW
GAETANO, MICHAEL GAETANO, GAETANO AND
ASSOCIATES, INC., THE GAETANO DEVELOPMENT
CORP., STEVEN C. GAETANO ARCHITECTS, P.C., and
MANHATTAN PROPERTY MANAGERS, INC.,

Defendants.

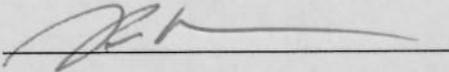
Administrative Order:

By letter dated March 20, 2015, counsel for plaintiff requests that this action be reassigned to the Commercial Division pursuant to Uniform Rule 202.70 (e). Counsel for defendants opposes this request.

The complaint alleges that defendants breached their contractual obligations by negligently designing, constructing, and managing the Gateway Condominium, a residential condominium building located at 2098 Eighth Avenue, New York, New York. Uniform Rule 202.70(c) (3) provides that "residential real estate disputes" will not be heard in the Commercial Division even if the monetary threshold is met.

As this action arises out of the alleged defective design, construction, and management of a residential condominium, it does not fall within the guidelines for assignment to the Commercial Division. Accordingly, the action will remain in a non-commercial part (I.A.S. Part 43).

Dated: March 30, 2015

ENTER:  , A.J.

HON. PETER H. MOULTON
J.S.C.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION