

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

SHAREHOLDER
REPRESENTATIVE SERVICES LLC,
In its Capacity as the Representative
of the Selling Shareholders of Ften, Inc.,

Plaintiff,

- v -

INDEX NO. 651145/14

THE NASDAQ OMX GROUP, INC. and
FTEN, INC.,

Defendants.

Administrative Order:

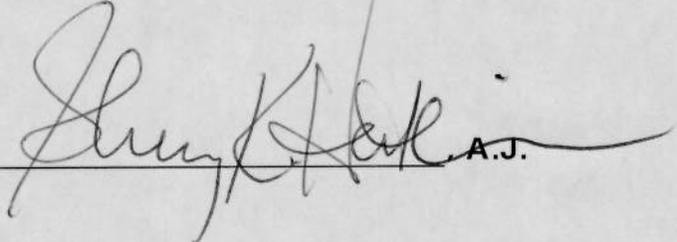
By letter dated May 13, 2014, plaintiff's counsel timely requests assignment of this action to the Commercial Division. There is no opposition to the request.

This action seeks damages in excess of \$8.8 million and declaratory relief as a result of the defendants' alleged breaches of a Merger Agreement and an Escrow Agreement entered into in December 2010 in connection with the defendants' acquisition of Ften, Inc. There is no question that it meets the requirements for assignment to the Commercial Division (see Uniform Rule 202.70 [a] & [b] [1]).

Accordingly, the plaintiff's request for a transfer to the Commercial Division is granted. The General Clerk's Office is directed to reassign this case from I.A.S. Part 43 (Reed, J.) at random to a Justice of the Commercial Division.

Dated: May 19 2014

ENTER:

 A.J.

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION