

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

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

RAPHAEL KELLMAN, M.D. and MEDICINE OF
TOMORROW P.C.,

Plaintiffs,

- v -

INDEX NO. 102157/11

ANGELA C. HOLDER and JP MORGAN CHASE
BANK, N.A.,

Defendants.

Administrative Order:

By letter dated May 19, 2011, counsel for defendant JP Morgan Chase Bank, N.A. (JP Morgan) requests that this action, currently assigned to the Hon. Milton Tingling (I.A.S. Part 44), be transferred to the Commercial Division pursuant to Uniform Rule 202.70. No opposition has been received to date.

This action was originally designated as "Other Matters" by counsel for plaintiff on the Request for Judicial Intervention (RJI) filed with the court on April 12, 2011. Accordingly, the action was assigned to a non-commercial judge.

Uniform Rule 202.70(e) provides that any other party has 10 days from its receipt of the RJI to apply for a transfer to the Commercial Division. The 10-day time limit is strictly construed.

For this reason, JP Morgan's request to transfer this action to the Commercial Division is denied.

Dated: May 27, 2011

ENTER: , A.J.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION