

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

PRESENT: Hon. Jacqueline Silbermann
Administrative Order

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY; WORLD TRADE CENTER PROPERTIES LLC; SILVERSTEIN PROPERTIES, INC.; SILVERSTEIN WTC MGMT. CO. LLC; 1 WORLD TRADE CENTER LLC; 2 WORLD TRADE CENTER LLC; 4 WORLD TRADE CENTER LLC; 5 WORLD TRADE CENTER LLC; and WTC RETAIL LLC,

Plaintiffs,

- v -

INDEX NO. 402523/06

ALLIANZ INSURANCE COMPANY; INDUSTRIAL RISK INSURERS; TRAVELERS INDEMNITY COMPANY; ROYAL INDEMNITY COMPANY; GULF INSURANCE COMPANY; ZURICH AMERICAN INSURANCE CO.; and EMPLOYERS INSURANCE COMPANY OF WAUSAU,

Defendants.

Administrative Order:

By letter dated June 26, 2006, counsel for plaintiffs, Milton H. Pachter, advises of the filing of the complaint in this action and requests that this action be assigned to Justice Herman Cahn of the Commercial Division as a case related to *World Trade Center Properties LLC, et al. v Allianz Insurance Company, et al.*, Index No. 602857/03.

Section (l)(B) of the Court's Operations Manual explains the process for the assignment of cases and provides that if a new case is designated as related on the Request For Judicial Intervention, it will be assigned to the Justice who was assigned the earlier case provided that the latter is still listed as "active" in the court's computer system. Any party aggrieved by the assignment must raise the issue before the assigned Justice before further review is sought before the Administrative Judge. See *also Application of Morfesis v Wilk*, 138 AD2d 244, 246 (1st Dept 1988) (approving practice of permitting the judge who has the arguably related case to determine if the

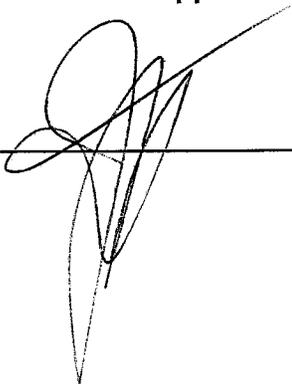
cases are truly related).

Accordingly, this action will be assigned to Justice Cahn, because the prior action has not been marked disposed, and any party aggrieved by the assignment is directed to raise the issue with Justice Cahn.

Counsel for plaintiffs and defendant Industrial Risk Insurers are requested to direct all substantive legal issues regarding this action and any related federal litigation to Justice Cahn, not to Chief Administrative Judge Jonathan Lippman or myself.

Mr. Pachter is further directed to promptly serve, by facsimile transmission, a copy of this order on all counsel copied on his June 26th letter application.

Dated: June , 2006

ENTER:  _____, A.J.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION