

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

**PRESENT: Hon. Jacqueline Silbermann  
Administrative Order**

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**THE PEOPLE OF THE STATE OF NEW YORK,  
by ANDREW M. CUOMO, Attorney General of  
the State of New York,**

**Petitioner,**

**- v -**

**INDEX NO.  
400301/2008**

**BRIGHT PAGES LLC; MICHAEL L. SMITH and  
SHANNON COURTNEY MABRY, individually,  
and as principals of BRIGHT PAGES LLC,**

**Respondents.**

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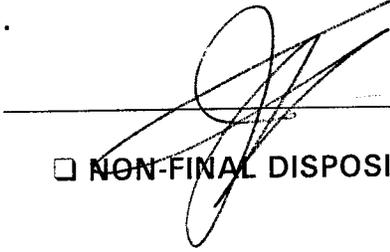
**Administrative Order:**

By letter dated March 11, 2008, respondents request that the court transfer this action from I.A.S. Part 35 (Edmead, J.) to the Commercial Division pursuant to Uniform Rule 202.70.

Respondents' request is untimely. Petitioner filed the Request for Judicial Intervention (RJI) on February 14, 2008 in connection with its Order to Show Cause seeking a temporary restraining order against respondents. On the RJI, petitioner marked the case as a non-commercial matter, by checking the box for "Other Special Proceedings." Respondents admit that they were served on February 14, 2008 with the Order to Show Cause signed by Justice Edmead. However, respondents' attorney asserts that it is his understanding that respondents were not served with a copy of the RJI. If petitioner failed to serve respondents with a copy of the RJI, then petitioner is in violation of the Uniform Rules For Trial Courts, namely section 202.6(a). Regardless, respondents' attorney should have requested a copy of the RJI upon receipt of the motion papers. Respondents were aware on February 14, 2008 that the action was assigned to a non-commercial part, but did not request a transfer until March 11, 2008, more than 10 days after notice of the assignment. Therefore, this request is untimely.

Accordingly, the request is denied.

Dated: March 17, 2008

ENTER:  , A.J.

Check one:  FINAL DISPOSITION

NON-FINAL DISPOSITION