

SHORT FORM ORDER

SUPREME COURT OF THE STATE OF NEW YORK

**PRESENT: HON. DANIEL MARTIN
A.J.S.C.**

**WESTCHESTER MEDICAL CENTER,
a/a/o DIERDE WALSH.**

Plaintiff.

- against -

**HARTFORD CASUALTY INSURANCE
COMPANY AND HARTFORD ACCIDENT
& INDEMNITY COMPANY.**

Defendant.

**TRIAL/IAS, PART 31
NASSAU COUNTY**

**Index No.: 003105/08
XXX**

**PRE-NOTE OF ISSUE
ORDER OF TRANSFER TO
THE DISTRICT COURT**

In accordance with §202.13(h) of the Uniform Civil Rules for the Supreme Court and County Court, and it appearing that the amount of damages sustained by Plaintiff may be less than those demanded in the complaint and it appearing that the Nassau County District Court would have had jurisdiction of the matter but for the amount of damages demanded, it is:

ORDERED, that the above-entitled action be, and it is hereby removed from the Supreme Court and transferred to the Nassau County District Court to be heard, tried and determined as if originally brought therein pursuant to the provisions of CPLR 325(d) [see generally *Fordham Road Storage Partners, LLC v. Long Delosa Construction Group, Ltd.*, 195 Misc.2d 674 (Sup.Ct. Bronx Co. 2003), and it is further

ORDERED, that the Clerk of Nassau County shall transfer to the Clerk of the District Court of the County of Nassau, all papers in this action now on file with the County Clerk and the Clerk of the District Court of the County of Nassau upon service of a copy of this order and upon delivery of the papers of this action to said clerk by the County Clerk of the County of Nassau shall issue to this action a District Court Index Number without the payment of any additional fees and it is further

ORDERED, that upon issuance of the District Court Index Number, the Clerk of the District Court shall mail notification to the parties as to the next scheduled appearance of the action before the District Court and it is further

ORDERED, that any motions pending at the time of removal and transfer shall be assigned, calendared and heard in the District Court and the parties shall file copies of any

pending motion papers with the Clerk of the District Court together with a copy of this order.

This constitutes the decision and order of this court.

ENTER:


A.J.S.C.

Dated: August 11, 2008

ENTERED

AUG 15 2008
NASSAU COUNTY
COUNTY CLERK'S OFFICE