

Supreme Court of the State of New York
Appellate Division, First Judicial Department

Renwick, P.J., Friedman, Kapnick, Pitt-Burke, O'Neill Levy, JJ.

6571	HEITMAN CREDIT ACQUISITION XXIII, LLC, Plaintiff-Respondent,	Index No. 659052/24 Case No. 2025-07120
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-against-

MEADOW PARTNERS LLC, et al.,
Defendants-Appellants.

Cole Schotz P.C., New York (Arnold P. Picinich of counsel), for appellants.

Arnold and Porter Kaye Scholer LLC, New York (Eric N. Whitney of counsel), for respondent.

Order, Supreme Court, New York County (Melissa A. Crane, J.), entered October 28, 2025, which denied defendants' motion pursuant to CPLR 3211(a)(4) and (7) to dismiss the amended complaint's remaining cause of action alleging breach of contract predicated on an alter ego theory, or, in the alternative, for a stay of the action pursuant to CPLR 2201 and 3211 (a)(4), unanimously modified, to the extent of granting a stay of this action pursuant to CPLR 3211(a)(4) pending a resolution of the

related action entitled *Stier 109 LLC, et al. v 109 South 5 Property LLC, et al.*, index No. 653204/2022, pending before another Justice in Supreme Court, New York County, and otherwise affirmed, without costs.

In view of the foregoing, we decline to address the merits of this appeal.

THIS CONSTITUTES THE DECISION AND ORDER
OF THE SUPREME COURT, APPELLATE DIVISION, FIRST DEPARTMENT.

ENTERED: May 12, 2026

A handwritten signature in black ink, appearing to read "Susanna M. Rojas". The signature is written in a cursive, flowing style.

Susanna Molina Rojas
Clerk of the Court