

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

M244890  
HTR/

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2016-01039

Carlos Benitez, et al., plaintiffs-respondents,  
v Tritec Hospitality, LLC, defendant third-party  
plaintiff-appellant-respondent, Mack-Cali So.  
West Realty Associates, LLC, defendant second  
third-party plaintiff-respondent, Robert Martin  
Company, LLC, defendant second third-party  
defendant-respondent, Yonkers Lodging Partners,  
LLC, defendant second third-party defendant-  
respondent-appellant; Lea-Rome, Inc., third-  
party defendant-respondent-appellant.

ORDER ON APPLICATION  
Application to Withdraw Appeal

(Index No. 4117/10/0)

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Application by the third-party defendant respondent-appellant Lea-Rome, Inc., on an appeal and cross appeals from an order of the Supreme Court, Dutchess County, dated December 18, 2018, to withdraw its cross appeal.

Upon the papers filed in support of the application and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the application is granted and the cross appeal by the third-party defendant-respondent-appellant Lea-Rome, Inc., is marked withdrawn.

ENTER:



Aprilanne Agostino  
Clerk of the Court

January 18, 2018

BENITEZ v TRITEC HOSPITALITY, LLC