

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

M245036  
HTR/

ALAN D. SCHEINKMAN, P.J.  
WILLIAM F. MASTRO  
REINALDO E. RIVERA  
MARK C. DILLON  
RUTH C. BALKIN, JJ.

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2016-01039

DECISION & ORDER ON APPLICATION  
Application to Withdraw Appeal

Carlos Benitez, et al., respondents,  
v Tritec Hospitality, LLC, appellant-respondent,  
Yonkers Lodging Partners, LLC, respondent-  
appellant.

(Index No. 4117/10)

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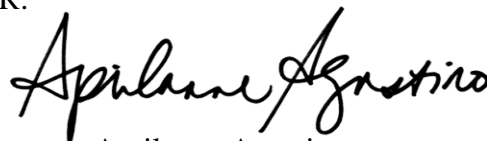
Applications by the appellant-respondent and the respondent-appellant for leave to withdraw an appeal and cross appeal, respectively, from an order of the Supreme Court, Dutchess County, dated December 18, 2015.

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

ORDERED that the applications are granted and the appeal and cross appeal are deemed withdrawn, without costs or disbursements.

SCHEINKMAN, P.J., MASTRO, RIVERA, DILLON and BALKIN, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

January 23, 2018

BENITEZ v TRITEC HOSPITALITY, LLC