

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

M248295
E/rr

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

2017-08506

DECISION & ORDER ON MOTION
Application to Withdraw Appeal

Galina Gergel, respondent, v CVS Pharmacy,
Inc., defendant third-party plaintiff; 100 Queens
Blvd. Co., LLC, third-party defendant-appellant.

(Index No. 2001/14)

On the Court's own motion, it is

ORDERED that the order on application of this Court dated March 21, 2018, in the above-entitled case is recalled and vacated, and the following order on application is substituted therefor:

Application by the third-party defendant-appellant to withdraw an appeal from an order of the Supreme Court, Queens County, dated June 14, 2017.

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ORDERED that the application is granted and the appeal is marked withdrawn.

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

ENTER: 
Aprilanne Agostino
Clerk of the Court

March 30, 2018

GERGEL v CVS PHARMACY, INC.