

Philip Tower v Structure Tone, LLC

Motion No: 2026-02665 2026-02365

Slip Opinion No: 2026 NY Slip Op 71610(U)

Decided on June 30, 2026

Appellate Division, First Department, Motion Decision

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Judiciary Law § 431.

This motion is uncorrected and is not subject to publication in the
Official Reports.

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

Present – Hon. Sallie Manzanet-Daniels,
Martin Shulman
Julio Rodriguez III
John R. Higgitt
Llinét M. Rosado,

Justice Presiding,

Justices.

Philip Tower,
Plaintiff-Respondent-Appellant,

Motion Nos. 2026-02665
2026-02365

Nicole Tower,
Plaintiff-Respondent,

Index No. 155169/20
Case No. 2025-00894

-against-

Structure Tone, LLC,
Defendant-Respondent,

TGA 730 Third Avenue Owner LLC,
Defendant-Respondent-Appellant.

Structure Tone, LLC,
Third-Party Plaintiff-Respondent,

-against-

Jacobson & Company, Inc.,
Third-Party Defendant-Appellant-
Respondent,

ABCO Peerless Sprinkler Corporation,
Third-Party Defendant-Respondent-
Appellant.

Third-party defendant-appellant-respondent having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on March 24, 2026 (Appeal No. 6179) [Motion No. 2026-02365],

And defendant/third-party plaintiff-respondent having cross-moved for renewal and/or reargument of the decision and order of this Court, entered on March 24, 2026 (Appeal No. 6179) [Motion No. 2026-02665],

Now, upon reading and filing the papers with respect to the motions, and due deliberation having been had thereon,

It is ordered that the motions are denied.

ENTERED: June 30, 2026

A handwritten signature in black ink, appearing to read 'Susanna Molina Rojas', written in a cursive style.

Susanna Molina Rojas
Clerk of the Court