

**Rafael Tiburcio v 10 Huron FS Condo LLC
Constr. Group, LLC**

Motion No: 2026-02655

Slip Opinion No: 2026 NY Slip Op 71745(U)

Decided on July 02, 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. Dianne T. Renwick,
Sallie Manzanet-Daniels
Troy K. Webber
Peter H. Moulton
Tanya R. Kennedy,

Presiding Justice,

Justices.

Rafael Tiburcio,
Plaintiff-Respondent,

Motion No. 2026-02655

Index No. 151817/19

Case No. 2025-06119

-against-

10 Huron Fs Condo LLC, 19 India Fee Owner
LLC, Mack Real Estate Capital Group, LLC,
Noble Construction Group, LLC,
Defendants-Appellants-Respondents.

(And Third-Party Actions)

Appeals having been taken from an order of the Supreme Court, New York
County, entered on or about July 08, 2025,

Now, upon reading and filing the correspondence from counsel for third-party
defendant-respondent-appellant Lippolis Electric, Inc., dated May 06, 2026, and due
deliberation having been had thereon,

It is ordered that the appeal taken by third-party defendant-respondent-
appellant Lippolis Electric, Inc. is deemed withdrawn in accordance with the aforesaid
stipulation.

ENTERED: July 02, 2026



Susanna Molina Rojas
Clerk of the Court