

**Allied World Assur. Co. (U.S.) Inc. & M. Cary, Inc. v
Merchants Mut. Ins. Co.**

Motion No: 2021-02662

Slip Opinion No: 2021 NYSlipOp 73326(U)

Decided on October 19, 2021

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. Rolando T. Acosta,
 Dianne T. Renwick
 Sallie Manzanet-Daniels
 Judith J. Gische
 Barbara R. Kapnick,

Presiding Justice,

Justices.

Allied World Assurance Company (U.S.) Inc.
and M. Cary, Inc.,
 Plaintiffs-Respondents,

Motion No. 2021-02662
Index No. 655224/17
Case No. 2020-03189

-against-

Merchants Mutual Insurance Company,
 Defendant-Appellant,

Aspen Specialty Insurance Company, et al.,
 Defendants.

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about June 18, 2020,

Now, upon reading and filing the correspondence from counsel for defendant-appellant, dated August 09, 2021, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED: October 19, 2021



Susanna Molina Rojas
Clerk of the Court