

**Bernardez v 70 Franklin Place LLC**

Motion No: 2022-00190

Slip Opinion No: 2022 NYSlipOp 61565(U)

Decided on February 10, 2022

Appellate Division, First Department, Motion Decision

Published by [New York State Law Reporting Bureau](#) pursuant to  
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.

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Kevin Bernardez,  
Plaintiff-Respondent-Appellant,

Motion No. 2022-00190

Index No. 23381/14E

Case No. 2021-01649

-against-

70 Franklin Place LLC, LF Franklin LLC, and  
Centaur Properties, LLC,  
Defendants-Appellants-Respondents,

-and-

Environmental Appraisers & Builders LLC, et  
al.,  
Defendants.

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LF Franklin LLC, and Centaur Properties,  
LLC,  
Third-Party Plaintiffs-Appellants,

-against-

Third-Party

Index No. 41357/14E

Elmac Electric Inc.,  
Third-Party Defendant-Appellant.

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Environmental Appraisers & Builders LLC,  
Second Third-Party Plaintiff-Respondent,

-against-

Second

Third-Party

Index No. 43248/16E

Elmac Electric Inc.,  
Second Third-Party Defendant-Appellant.

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Appeals having been taken to this Court from an order of the Supreme Court, Bronx County, entered on or about April 30, 2021, and plaintiff's appeal having been perfected,

Now, upon reading and filing the correspondence from counsel for defendants/third-party plaintiffs-appellants, LF Franklin LLC and Centaur Properties, LLC, dated January 13, 2022, and due deliberation having been had thereon,

It is ordered that only the appeal taken by defendants/third-party plaintiffs-appellants LF Franklin LLC and Centaur Properties, LLC is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED: February 10, 2022

A handwritten signature in black ink, appearing to read "Susanna M. Rojas". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Susanna Molina Rojas  
Clerk of the Court