

Paul J. Napoli v Marc J. Bern

Motion No: 2022-02567

Slip Opinion No: 2022 NYSlipOp 69744(U)

Decided on August 09, 2022

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.

Paul J. Napoli,
Plaintiff-Respondent-Appellant,

Motion No. 2022-02567
Index No. 159576/14
Case No. 2021-03777

-against-

Marc J. Bern,
Defendant-Appellant-Respondent.

An appeal and cross appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about September 03, 2021,

Now, upon reading and filing the correspondence from counsel for defendant-appellant-respondent, dated June 30, 2022, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence; the cross appeal remains extant and is deemed the direct appeal.

ENTERED: August 09, 2022



Susanna Molina Rojas
Clerk of the Court