

Bayport Constr. Corp. v Cabgram Dev. LLC

Motion No: 2023-03864

Slip Opinion No: 2023 NY Slip Op 74447(U)

Decided on October 03, 2023

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
Barbara R. Kapnick
Troy K. Webber
Cynthia S. Kern,

Presiding Justice,

Justices.

Bayport Construction Corp., et al.,
Plaintiffs,

Motion No. **2023-03864**

Index No. 162095/19

Case No. 2022-05226

-against-

Action No. 1

Cabgram Developer LLC, et al.,
Defendants.

Rising Sun Construction L.L.C., individually,
and as representative of all trust beneficiaries
similarly situated,

Plaintiff-Respondent,

Index No. 150348/20

-against-

Action No. 2

Cabgram Developer LLC, The Guarantee
Company of North America USA,
Defendants-Appellants,

227 East 19th Street Owner, LLC, et al.,
Defendants.

An appeal having been taken to this Court from a judgment of the Supreme Court, New York County, entered on or about November 10, 2022, and said appeal having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated September 04, 2023, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid stipulation.

ENTERED: October 03, 2023

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

Susanna Molina Rojas
Clerk of the Court