

**3rd Ave. Retail LLC doing business in N.Y. as 3rd Ave. Retail
Condo v 165 E 66, LLC**

Motion No: 2025-05882

Slip Opinion No: 2025 NY Slip Op 82003(U)

Decided on December 09, 2025

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
Cynthia S. Kern
Peter H. Moulton,

Presiding Justice,

Justices.

3rd Avenue Retail LLC doing business in
New York as 3rd Avenue Retail Condo LLC,
Plaintiff-Appellant,

Motion No. 2025-05882
Index No. 650436/25
Case No. 2025-06307

-against-

165 E 66, LLC,
Defendant-Respondent.

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about September 12, 2025,

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant, dated October 29, 2025, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED: December 09, 2025



Susanna Molina Rojas
Clerk of the Court