

Sweeny, J.P., Richter, Moskowitz, Feinman, Gische, JJ.

3503 RMB Properties, Index 654491/13  
Plaintiff-Appellant,

-against-

American Realty Capital III,  
LLC, et al.,  
Defendants-Respondents.

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Kennedy Berg LLP, New York (James W. Kennedy of counsel), for  
appellant.

Morrison Cohen LLP, New York (Y. David Scharf of counsel), for  
respondents.

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An appeal having been taken to this Court by the above-named  
appellant from an order of the Supreme Court, New York County  
(Jennifer G. Schecter, J.), entered August 31, 2016,

And said appeal having been argued by counsel for the  
respective parties; and due deliberation having been had thereon,

It is unanimously ordered that the order so appealed from  
be and the same is hereby affirmed for the reasons stated by  
Schecter, J., without costs and disbursements.

ENTERED: MARCH 23, 2017

  
CLERK