

State of New York Court of Appeals

This memorandum is uncorrected and subject to revision before publication in the New York Reports.

No. 70
Fast Trak Investment Company,
LLC, &c.,
Respondent,
v
Richard Philip Sax, &c. et al.,
Appellants.

Richard Sax, for appellants.
Thomas J. Fleming, for respondent.

Pursuant to the July 23, 2021 order of the United States Court of Appeals for the Ninth Circuit granting the joint motion to withdraw certification and dismiss the appeal to that Court, certified questions marked withdrawn. Chief Judge DiFiore and Judges Rivera, Fahey, Garcia, Wilson, Singas and Cannataro concur.

Decided September 2, 2021