

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

UFCW LOCAL 1500 WELFARE FUND,
*on its own behalf and on behalf of all
others similarly situated,*

Plaintiff,

v.

THE NEW YORK AND
PRESBYTERIAN HOSPITAL,

Defendant.

Case No. 2:25-cv-05023-BMC

CEMENT AND CONCRETE WORKERS
DC BENEFIT FUND, *on its own behalf
and on behalf of all others similarly
situated, et al.,*

Plaintiff,

v.

THE NEW YORK AND
PRESBYTERIAN HOSPITAL,

Defendant.

Case No. 1:25-cv-05571-BMC

NOTICE OF VOLUNTARY DISMISSAL

PLEASE TAKE NOTICE THAT pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiff UFCW Local 1500 Welfare Fund voluntarily dismisses all of its claims without prejudice in its individual action and the consolidated action against Defendant The New York and Presbyterian Hospital. A class has not been certified in these actions, and Defendant has not served an answer or a motion for summary judgment.

In the event of a future recovery in *Cement & Concrete Workers DC Benefit Fund v. The*

New York and Presbyterian Hospital, No. 1:25-cv-5571 (E.D.N.Y.), UFCW Local 1500 Welfare Fund reserves, and does not waive, its right to submit a claim as an absent class member and/or to participate in any settlement or judgment as an absent class member.

Dated: October 7, 2026

Respectfully submitted,

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*Counsel for Plaintiff UFCW Local 1500
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CERTIFICATE OF SERVICE

I hereby certify that on October 7, 2026, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Gregory S. Asciolla
Gregory S. Asciolla