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INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF SECURITIES

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934 or Section 30(h) of the Investment Company Act of 1940

1. Name and Address of Reporting Person * <u>Davidow Robert L</u> <hr/> (Last) (First) (Middle) 2100 SOUTH OCEAN BLVD., APARTMENT 401 N <hr/> (Street) PALM BEACH FL 33480 <hr/> (City) (State) (Zip)	2. Date of Event Requiring Statement (Month/Day/Year) 10/31/2023	3. Issuer Name and Ticker or Trading Symbol <u>AVENUE THERAPEUTICS, INC. [ATXI]</u>	
		4. Relationship of Reporting Person(s) to Issuer (Check all applicable) Director <input type="checkbox"/> 10% Owner <input checked="" type="checkbox"/> Officer (give title below) <input type="checkbox"/> Other (specify below) <input type="checkbox"/>	5. If Amendment, Date of Original Filed (Month/Day/Year) 6. Individual or Joint/Group Filing (Check Applicable Line) <input checked="" type="checkbox"/> Form filed by One Reporting Person <input type="checkbox"/> Form filed by More than One Reporting Person

Table I - Non-Derivative Securities Beneficially Owned

1. Title of Security (Instr. 4)	2. Amount of Securities Beneficially Owned (Instr. 4)	3. Ownership Form: Direct (D) or Indirect (I) (Instr. 5)	4. Nature of Indirect Beneficial Ownership (Instr. 5)
Common Stock	945,000	D	
Common Stock	40,000	I	Joint account with spouse ⁽¹⁾
Common Stock	135,000	I	Trustee for Juliet Davidow 2001 Trust and Alexander Davidow 2010 Trust ⁽²⁾
Common Stock	100,000	I	By Spouse ⁽³⁾
Common Stock	275,000	I	Shared investment authority ⁽⁴⁾
Common Stock	341,800	I	Shared investment and voting authority ⁽⁵⁾
Common Stock	90,000	I	Shared investment and voting authority (Loan accounts) ⁽⁶⁾⁽⁷⁾

Table II - Derivative Securities Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

1. Title of Derivative Security (Instr. 4)	2. Date Exercisable and Expiration Date (Month/Day/Year)		3. Title and Amount of Securities Underlying Derivative Security (Instr. 4)		4. Conversion or Exercise Price of Derivative Security	5. Ownership Form: Direct (D) or Indirect (I) (Instr. 5)	6. Nature of Indirect Beneficial Ownership (Instr. 5)
	Date Exercisable	Expiration Date	Title	Amount or Number of Shares			

Explanation of Responses:

- Consists of shares of common stock held in a joint account with the Reporting Person's wife.
- Consists of shares of common stock held in trusts for the benefit of the Reporting Person's children in which the Reporting Person is the trustee.
- Consists of shares of common stock held by the Reporting Person's wife.
- Consists of shares of common stock held in accounts maintained for the benefit of certain individuals or trusts over which the Reporting Person has shared dispositive authority.
- Consists of shares of common stock held in accounts maintained for the benefit of certain individuals or trusts over which the Reporting Person has shared voting and dispositive authority.
- Consists of shares of common stock over which the Reporting Person has dispositive authority which are held by two individuals to whom the Reporting Person made loans (the "Loans"), a portion of which were used to pay for the shares, with promissory notes providing that such Loans would be repaid with interest.
- The Reporting Person disclaims beneficial ownership over the shares of common stock except to the extent of his pecuniary interest therein. While the Reporting Person does not have a direct pecuniary interest in the shares held by the borrowers of the Loans, the Reporting Person has some financial interest in those shares by virtue of the Loans.

/s/ Robert Davidow 11/28/2023
 ** Signature of Reporting Person Date

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

* If the form is filed by more than one reporting person, see Instruction 5 (b)(v).

** Intentional misstatements or omissions of facts constitute Federal Criminal Violations See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, see Instruction 6 for procedure.

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB Number.

POWER OF ATTORNEY

Know all by these presents that the undersigned hereby constitutes and appoints each of Constantine Christakis and Michael D. Harris, signing singly, the undersigned's true and lawful attorney-in-fact to do each of the following, provided, however, that the Power of Attorney shall not be used unless my signature is required and I am unavailable:

- (1) prepare and execute for and on behalf of the undersigned, in the undersigned's capacity as an officer, director or 10% beneficial owner of securities, Forms 3, 4 and 5 in accordance with Section 16(a) of the Securities Exchange Act of 1934 (the "Exchange Act"), and the rules thereunder, and any other forms or reports the undersigned may be required to file in connection with the undersigned's ownership, acquisition, or disposition of securities;
- (2) prepare and execute for and on behalf of the undersigned, in the undersigned's capacity as an officer, director or 10% beneficial owner of securities, Schedules 13D or 13G in accordance with Section 13(d) and Section 13(g) of the Exchange Act, and the rules thereunder, and any other forms or reports the undersigned may be required to file in connection with the undersigned's ownership, acquisition, or disposition of securities;
- (3) prepare and execute Forms 144 required to be filed under the Securities Act of 1933 (the "Securities Act");
- (4) do and perform any and all acts for and on behalf of the undersigned which may be necessary or desirable to complete and execute any such Form 3, 4 or 5, as well as Schedules 13D or 13G, or other form or report, and timely file such form or report with the United States Securities and Exchange Commission and any stock exchange or similar authority; and
- (5) take any other action of any type whatsoever in connection with the foregoing which, in the opinion of such attorney-in-fact, may be of benefit to, in the best interest of, or legally required by, the undersigned, it being understood that the documents executed by such attorney-in-fact on behalf of the undersigned pursuant to this Power of Attorney shall be in such form and shall contain such terms and conditions as such attorney-in-fact may approve in such attorney-in-fact's discretion.

The undersigned hereby grants to each such attorney-in-fact full power and authority to do and perform any and every act and thing whatsoever requisite, necessary, or proper to be done in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as the undersigned might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that such attorney-in-fact, or such attorney-in-fact's substitute or substitutes, shall lawfully do or cause to be done by virtue of this Power of Attorney and the rights and powers herein granted. The undersigned acknowledges that the foregoing attorneys-in-fact, in serving in such capacity at the request of the undersigned, are not assuming, nor is Mr. Davidow assuming, any of the undersigned's responsibilities to comply with Section 16 of the Exchange Act.

This Power of Attorney shall remain in full force and effect until the undersigned is no longer required to file Forms 3, 4 and 5, as well as Schedules 13D or 13G with respect to the undersigned's holdings of and transactions in securities issued by Mr. Davidow, unless earlier revoked by the undersigned in a signed writing delivered to the foregoing attorneys-in-fact.

IN WITNESS WHEREOF, the undersigned has caused this Power of Attorney to be executed as of this 28th day of November, 2023.

/s/ Robert L. Davidow
Signature

Robert L. Davidow
Print Name