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**STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP**

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

Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

Check this box to indicate that a transaction was made pursuant to a contract, instruction or written plan for the purchase or sale of equity securities of the issuer that is intended to satisfy the affirmative defense conditions of Rule 10b5-1(c). See Instruction 10.

1. Name and Address of Reporting Person * <u>Davidow Robert L</u>  (Last) (First) (Middle) 2100 SOUTH OCEAN BLVD., APARTMENT 401 N  (Street) PALM BEACH FL 33480  (City) (State) (Zip)	2. Issuer Name and Ticker or Trading Symbol <u>AVENUE THERAPEUTICS, INC. [ ATXI ]</u>	5. Relationship of Reporting Person(s) to Issuer (Check all applicable)  Director <input checked="" type="checkbox"/> 10% Owner Officer (give title below) Other (specify below)
	3. Date of Earliest Transaction (Month/Day/Year) 12/11/2023	
	4. 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 Acquired, Disposed of, or Beneficially Owned**

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)		4. Securities Acquired (A) or Disposed Of (D) (Instr. 3, 4 and 5)			5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)
			Code	V	Amount	(A) or (D)	Price			
Common Stock	12/11/2023		S		264,000	D	\$0.14 <sup>(1)</sup>	681,000	D	
Common Stock	12/11/2023		S		18,000	D	\$0.15	22,000	I	Joint account with spouse <sup>(2)</sup>
Common Stock	12/11/2023		S		61,000	D	\$0.14 <sup>(1)</sup>	74,000	I	Trustee for Juliet Davidow 2001 Trust and Alexander Davidow 2010 Trust <sup>(3)</sup>
Common Stock	12/11/2023		S		126,000	D	\$0.14 <sup>(1)</sup>	215,800	I	Shared investment and voting authority <sup>(4)</sup>
Common Stock	12/11/2023		S		128,000	D	\$0.14 <sup>(1)</sup>	147,000	I	Shared investment authority <sup>(5)</sup>
Common Stock	12/11/2023		S		20,000	D	\$0.14	80,000	I	By Spouse <sup>(6)</sup>

**Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)**

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transaction Code (Instr. 8)		5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)		6. Date Exercisable and Expiration Date (Month/Day/Year)		7. Title and Amount of Securities Underlying Derivative Security (Instr. 3 and 4)	8. Price of Derivative Security (Instr. 5)	9. Number of derivative Securities Beneficially Owned Following Reported Transaction(s) (Instr. 4)	10. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	11. Nature of Indirect Beneficial Ownership (Instr. 4)
				Code	V	(A)	(D)	Date Exercisable	Expiration Date					

**Explanation of Responses:**

- The price reported in Column 4 is a weighted average price. The shares were sold in multiple transactions at prices ranging from \$0.13 to \$0.15, inclusive. Each sale price was below the purchase prices for the shares, and the reporting person engaged in the transactions for tax purposes and to cause his holdings to fall below 10% of the outstanding shares of the issuer's common stock and thereby cease being subject to the requirements of Section 16 of the Securities Exchange Act of 1934. The Reporting Person undertakes to provide to the issuer, any security holder of the issuer, or the staff of the Securities and Exchange Commission, upon request, full information regarding the number of shares sold at each separate price within the ranges set forth above.
- 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 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 held in accounts maintained for the benefit of certain individuals or trusts over which the Reporting Person has shared dispositive authority.

6. Consists of shares of common stock held by the Reporting Person's wife.

/s/ Robert Davidow

12/13/2023

\*\* 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 4 (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.**