

**Supreme Court of the State of New York
Appellate Division: Second Judicial Department**

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2007-10659

ORDER ON APPLICATION
Application to Withdraw Appeal

Metropolitan Bank & Trust Company,
respondent, v Rolf Wittich, appellant,
et al., defendants.

(Index No. 2193/04)

Application by the appellant to withdraw an appeal from an order of the Supreme Court, Suffolk County, dated October 19, 2007.

Upon the papers filed in support of the application and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the application is granted and the appeal is marked withdrawn.

ENTER:



James Edward Pelzer
Clerk of the Court

October 2, 2008

METROPOLITAN BANK & TRUST COMPANY v WITTICH