

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

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2007-08600

Thomas Gallen, et al., respondents, v Ibex  
Construction, LLC, defendant, 260 Prospect  
Park West Realty Corp., appellant.

ORDER ON APPLICATION  
Withdraw Appeal on Stipulation

(Index No. 29574/05)

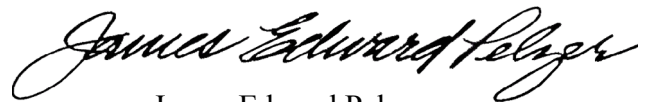
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Appeal from an order of the Supreme Court, Kings County, dated August 2, 2007.

Upon the stipulation of the parties, dated August 5, 2008, it is

ORDERED that the appeal is marked withdrawn.

ENTER:



James Edward Pelzer  
Clerk of the Court

October 2, 2008

GALLEN v IBEX CONSTRUCTION, LLC