

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

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2008-02448

Kimberly Turner, et al., plaintiffs-respondents,  
v Dean Maffei, et al., defendants third-party  
plaintiffs-respondents; Arba Food Corp., d/b/a  
Three Guys Convenience and Luncheonette,  
third-party defendant-appellant.

ORDER ON APPLICATION  
Withdraw Appeal on Stipulation

(Index No. 36144/99)

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Appeal from an order of the Supreme Court, Kings County, dated February 1, 2008.

Upon the stipulation of the parties, dated September 23, 2008, it is

ORDERED that the appeal is marked withdrawn.

ENTER:



James Edward Pelzer  
Clerk of the Court

October 2, 2008

TURNER v MAFFEI