

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

M77765
L/

2008-04654

Cecil Fogg, respondent, v Antonio W.
Franco, et al., appellants.

ORDER ON APPLICATION
Withdraw Appeal on Stipulation

(Index No. 18603/06)

Appeal from an order of the Supreme Court, Kings County, dated February 13, 2008.

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

ORDERED that the appeal is marked withdrawn.

ENTER:



James Edward Pelzer
Clerk of the Court

October 28, 2008

FOGG v FRANCO